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EOTHEN IN THE SOUTH-WEST.

**E**VEN if the newspapers had not advertised the Mr. KINGLAKE who is now canvassing in the Isle of Wight as the author of *Eothen*, the speech which they have published would prove the candidate for the representation of Newport to be no common person. It is curious to see how small a departure from the ordinary conventionalisms of Parliamentary aspirants distinguishes the man of genius from the commonplace politician. Through nine-tenths of his address the language of Mr. KINGLAKE is precisely identical with that of Mr. ANDREWS, the coachmaker, who, on the other side of the Solent, is daily haranguing the electors of Southampton. Mr. ANDREWS stigmatizes the governing classes as incapable, and postpones them altogether to men of business in the middle rank. Mr. KINGLAKE declares that there is but one firm in the country which always breaks, and that is the Government; and he laments that, with their united abilities, the Ministers should not have been able to provision an army which was only eight miles from the coast. These sarcasms are matters of course. In the reign of VICTORIA, you say that a Minister is incompetent, just as, in the reign of GEORGE the SECOND, you said that he was corrupt. On the whole, however, it is less surprising that Mr. ANDREWS should have fallen in with the current jargon than that Mr. KINGLAKE should have adopted it. The opinions of Lord PALMERSTON about Mr. ANDREWS sufficiently account for Mr. ANDREWS's opinions of the class to which Lord PALMERSTON belongs; but Mr. KINGLAKE, as an Equity lawyer, must have heard of the Royal British Bank; and as an attentive observer of affairs in the East, he ought to know that the "Ministers with their united abilities" had no more to do with the eight miles between Balaklava and the trenches than they had with the navigation of the Baltic fleet from Portsmouth to Sweaborg. It is not, in fact, till the close of their respective addresses that the man of letters becomes distinguishable from the coach-builder. When mere respectability goes the entire animal, true genius cannot away with the bristles of the tail. Mr. ANDREWS thinks he is as fit to be elected as any lord in the land; but Mr. KINGLAKE, with much apologetic circumlocution, rebukes the electoral body for carelessness in the choice of its representatives, and reminds it that the House of Lords, which is the creature of accident, is quite as efficient an assembly as the House of Commons, which is the creation of the constituencies.

In stating the causes of that advantage in public life which unquestionably belongs to a limited number of families, we are surprised that Mr. KINGLAKE forgot to give a place to the moral exactingness of which Parliamentary electors are too often guilty. They cram so many articles of political faith down the throats of candidates, that men of talent, and of the ethical sensitiveness which generally accompanies talent, are obliged to refuse subscription. At present there are two alternative modes of ascending to political station. Either you are born in the aristocracy, or else you take an unlimited quantity of pledges. In the former case, you go straight to the House of Lords; or if you stand for a county or a borough, you are treated with excessive leniency. In the latter, it is rare that you can pass the ordeal without either damaging your conscience or emasculating your intelligence. A low-born Conservative makes a meal of Maynooth, the Sabbath, the extinction of Roman Catholic chaplains, and the virtues of Mr. DISRAELI. A plebeian Liberal swallows the Ballot, the extension of the Suffrage, Financial Reform, and the Abolition of Church-rates. The principle, in fact, on which the ruling orders are selected in this country, is precisely that which governs the nomination of chiefs in Western Africa. The missionaries tell us that, in several tribes of negroes, the aristocracy consists, first, of all persons related

to the King; and secondly, of everybody who can swallow a calabash-full of a nauseous compound called "red water," without having a pain in the stomach. Practically, it is found in Africa that the oligarchy of blood is equal in efficiency to the oligarchy of *dura ilia*; and so it is in England. We will any day back the men of birth against the men of deglutition. In our judgment, Mr. KINGLAKE has stated the fact aright, but the cause wrongly. It is not the indifference, but the vanity and self-sufficiency of constituencies which exposes them to mistakes; and this truth has only escaped Mr. KINGLAKE through the fortunate accident which has enabled him to adopt the whole programme of the Newport electors. He can conscientiously advocate the Ballot, Household Suffrage, Financial Reform, and the Abolition of Church-rates. Indeed, he can probably go further. Mr. SEELY is stated to have retired from the contest because his opinions on the Sunday question are not in accordance with those of the inhabitants of Newport. We imagine there can be no doubt what the opinions of the Newport people are on that question; and therefore, as Mr. KINGLAKE perseveres, he is doubtless clear as to the obligation of strict Sabbath observance. It is Mr. KINGLAKE's good fortune that his convictions are of so popular a description; but in a gentleman of so fine a taste and so keen an eye for the ridiculous, it is good fortune as rare as it is signal.

When politicians and journalists insist that the great families include a smaller amount of talent than the rest of the nation, they maintain a position true enough to be self-evident. It is strange, however, that so acute a thinker as Mr. KINGLAKE, in adhering to this dogma of the Administrative Reformers, should commit their blunder of confounding natural capacity with trained aptitude. A man may have been flogged into the condition of St. LAWRENCE at Eton, and plucked as clean as an Irish goose at Oxford; but if he has lived ever since in the atmosphere of Parliament, he will know more than any man who has indorsed bills of lading till he is forty can ever hope to know. It has been already pointed out to Mr. KINGLAKE that nobody can ever exercise great and permanent influence on public affairs in England who cannot rise in the House of Commons at two o'clock in the morning to make a short, safe, and spirited reply. But the political education of a British statesman embraces more than oratory. Five centuries of free government, and nearly two of Parliamentary omnipotence, have given us as their accumulated result, a special system of legislation; and it is by a perpetual play of compromise, by winning upon prejudices and cooling down enthusiasms, by taking a little here and giving a little there, that English Ministers produce laws—not, indeed, perfect in technical form—but worthy of all respect as the closest expression of a national will known to the civilized world. It is very rarely—almost never—that natural sagacity will supply the absence of a regular training in English statesmanship. Mr. DICKENS, in *Little Dorrit*, has done his best to caricature Lord Decimus Barnacle; but no sane man would prefer Mr. DICKENS as Prime Minister to Lord Decimus, for the one would at all events show some results of his Premiership, while the other has not an idea in his head which could be carried into action without the help of a paternal despotism. The great families have, truly enough, something like a monopoly of office, but it is one which even political economists call a natural monopoly, and respect under that name. Their exclusive possession of the Executive is not, in fact, seriously threatened by any class except one. With the exception of a few men of talent trained in the temporary agitation against the Corn-Laws, no portion of the community has received a political education except the literary class. The cry for admitting the middle class to power amounts, as in France, to a demand for the ascendancy of literary men. We say, without any affectation of sarcasm, that we should

like to see the experiment fairly tried. Literature could not have a better political representative than Mr. KINGMAKE; but he will probably have more respect than at present for his predecessors, when, in the next war, he attempts to provision an army with Lieutenant-Colonel SLEIGH at the Horse Guards, Mr. LAYARD Ambassador at Constantinople, and a commissariat selected by competitive examinations.

#### OUR NEAPOLITAN DISCOMFITURE.

WHEN the Plenipotentiaries at the Paris Congress of last spring had concluded the business for which they had originally met—that is, when they had agreed on the terms on which a general peace was to be based—they proceeded, for their own honour and glory, to add to the Treaty some articles which should prove to the world the enlightenment of their own ideas, and the love by which they were animated towards mankind at large. The diplomatists who drew up the Treaty of Vienna, in 1815, had superadded a declaration condemnatory of the Slave Trade; and, not to be outdone by their predecessors, our Plenipotentiaries of 1856 seized on the precedent, and added codicils to their Treaty of Paris. One of these imposed restrictions on the rights of belligerents as against neutrals, which were to be binding on the States represented at the Conference; and another contained a general declaration of the necessity of certain reforms in the government of some Italian States which were not represented at the Conference, and more especially of Naples.

That France should have originated this interference in the affairs of Naples at first excited some surprise; for certainly the sympathies of LOUIS NAPOLEON can be but very moderately aroused on behalf of a nation which complains of the suppression of a Constitution and the forcible establishment of a despotism. But the EMPEROR cherishes all Napoleonic traditions which are compatible with his position, and the French judge of the power and reputation of their Government rather by the extent of its influence in foreign countries than by the objects for which that influence is exercised. Thus the Liberal party in France heartily approved of the intervention to put down a Republic in Rome and to re-establish the Papacy, simply because it was a high-handed act on the part of their rulers. Of all the traditions of the first Empire, the Kingdom of Italy is that which lives most in the national memory; and it is not surprising, therefore, that NAPOLEON III. affects a kind of Protectorate in Italy, which, whatever fruit it may bear in the Peninsula itself, reacts greatly in his favour in France—partly by the *prestige* with which it surrounds his Government, and partly by the support which he receives from the clergy in return for the few thousand French bayonets in Rome on which the existence of the temporal power of the POPE depends. There are MURATS, too, about his throne, allied to him in blood, and whose name is still remembered by Neapolitans who are weary of the imbecility of the Italian BOURBONS. Here in England, ever since the publication of Mr. GLADSTONE's celebrated Letters, there has been a warm and generous sympathy with a people suffering under a degrading tyranny. We have seen the rule of despots permanently accepted by nations whose peculiar condition still seems to require such a form of government; but then the despotism has at least derived a dignity from the energetic and masculine character of the man who bent everything to his will. Nay, we have seen a constitution forcibly suppressed by one who was bound by the most solemn oaths to its maintenance; but this was in a country distracted by internal factions, who gladly accepted a rule which delivered them from social anarchy, and which, by its sagacity and energy, has subsequently added to the power and prosperity of the nation. In Naples, however, there is neither energy, nor genius, nor virtue to throw a veil over the perjury by which power was filched, or over the cowardly cruelty by which it is retained.

Many, therefore, rejoiced when they heard that the Paris Congress had concerned itself with the affairs of Naples, though no one had any clear idea of what was to be done to give effect to the wishes expressed by the Conference; and although, in this respect, the Plenipotentiaries seem to have been no better off than the public, there was a prevalent belief that the Protocol on the subject meant something, and that, somehow or other, something would come of it. At last, after a very long interval, England, France, and Austria addressed to the Neapolitan Government a joint demand for an amnesty, and for certain internal reforms, the nature of which will probably be revealed, either by speech or Blue-

books, when Parliament meets. But we do not imagine that they were of a very extensive character, since they met with the approval of France, which supports the POPE, and of Austria, which supports every Potentate in Italy except the King of SARDINIA. The suggestions of the three Powers were accompanied by threats of a cessation of diplomatic intercourse, and of the presence of our fleet, in the event of the KING's refusal—the object of the latter measure being, nominally, to protect British residents, but really to inspire him with apprehensions of a rising among his people, to which it certainly was not unlikely to lead.

He was, however, unmoved by these threats, though he so far seemed to believe in them that he made vigorous preparations for defence. He altogether declined to entertain our proposed reforms, and he met our suggestions and menaces by a remonstrance against our interference in the internal affairs of his dominions, which, however unpleasant in tone, was, on every principle of international law, both logical and unanswerable; and at the same time, Russia circulated a protest holding much the same language which we should have used—and probably did use—when she interfered in Hungary. Moreover, the KING of NAPLES—who, with all his vices and follies, is not wanting in a certain astuteness—saw the hollowness of the tie which bound the three remonstrant Governments together, and the impossibility of their taking a single step in advance without disagreeing on the objects they had in view. Austria wished him to yield in order to get rid of any justification for further interference in Italy on the part of France and England; and she probably joined in their remonstrance with the view of keeping down the terms to be imposed on him. France desired an opportunity of subverting, not the system on which Naples is governed, but the dynasty which administers that system; and England was indifferent to everything except the cessation of the abominations of the existing *régime*, and the establishment of a constitution, with King, Lords, and Commons—that universal panacea for all known evils. So the KING sat still and did nothing, and the three Powers began to be even more afraid of their own threats than he had been. True, England and France withdrew their Ministers, and we thus relieved him from the annoyance of the rounded periods which every post brought from Downing-street, in which the British Government conveyed instruction, advice, and reprimand, and which, though they never influenced his course one jot, were not the less irritating to his self-love and independence. But the fleet we never sent; and British residents, as every one knows, were never safer at Naples than they are now. The KING is not such a fool as to give us a pretext for a quarrel on any ground so solid as the ill-usage of a British subject. Indeed, our countrymen enjoy, in the present exceptional state of things, a sort of impunity which enables them to act openly in defiance of police regulations.

The truth is, when the time came to send our fleet, wiser counsels had prevailed, and we were afraid to do it. We recollected that, some nine years ago, when the blood of all Italy was inflamed, we sent an envoy to the peninsula on a roving commission, professedly to moderate the popular excitement, but, as it turned out, by his want of knowledge or judgment, to complicate the confusion, and to render abortive all hopes of a final and prosperous issue to the struggles of the Italian races. Every man who knew the excitability of the Southern temperament, the unsettled political ideas of the people, their lost aptitude for self-government, and their want of means of estimating their own strength, must have foreseen the result. British influence, instead of moderating and restraining the passions of the Italians, was exercised to encourage them to strain for more, when, by concentrating their energies on the retention of what they had won, a solid foundation might have been laid for the future. Thus Sicily, which had wrested her freedom from FERDINAND, was countenanced in the project of substituting a Sardinian for the BOURBON dynasty. The people were put in the wrong with their Sovereign, who did not fail to take advantage of the opportunity and the justification which was thus afforded him; while, in the North, Sardinia was dissuaded by Lord PALMERSTON from terminating the war, by the acceptance of half Lombardy, which had been wrested, by a then unbroken series of successes, from the hands of Austria.

We hope we are right in thinking that these recollections had, even in the eleventh hour, some effect in restraining the policy of Lord PALMERSTON with reference to Naples. He must have remembered how the people whom he had



encouraged to resistance, and for a time with success, had been left to their fate when misfortune overtook them, and had expiated on the field, or the scaffold, or in the dungeon, their efforts to conquer their freedom. If our fleet had gone to Naples, it is very possible that a large portion of the population, encouraged by the presence of an armed force avowedly hostile to their Government, would have risen—risen to be shot down by the disciplined battalions, Swiss as well as native, through whom the KING maintains his authority, and against whom our fleet would have been useless. As it is, an outbreak has taken place in Sicily, and some brave men have been sacrificed, while the KING has doubtless been strengthened in his position. The mere threat of coercion rallied round him something like loyalty—the success with which he has resisted the dictation of three powerful nations has made him almost respectable. An attempted assassination has been another happy accident in his favour, and on the whole, the position and prospects of this cruel and perfidious Monarch are decidedly improved.

Truth compels us to add that what he has gained we have lost. We tried threats on a weak Sovereign, because we did not dream of his resistance. He does resist, and we are afraid to carry our threats into execution. We have violated every principle on which we have hitherto professed to act, and on which, as far as we could, we have endeavoured to compel others to act. When Russia interfered in Hungary, and lent her aid to one party in a domestic contest, although she had neighbourhood to plead, and the fear of successful revolution spreading to her own provinces, we protested, and rightly, against her intervention. Nay, we might have done more; but we have now justified that intervention by copying it. With a view to the gratification of our own political sympathies, we have acted on the same principles on which Russia acted in 1849—only, at the last moment, we have stopped short of the execution of our purpose. With the United States, Lord PALMERSTON blustered, and ran away when his bluster failed; and, looking at the spirit and power of our antagonist, we must admit that, though not creditable, the decision he ultimately adopted was intelligible. No similar considerations can have influenced him in dealing with Naples; but the hope to catch a fleeting popular applause led him into a course the consequences of which he seems only to have seen when he was on the point of incurring them. Had we succeeded—had the KING yielded—the slight concessions we should have obtained, though they might have procured the personal liberty of a few unhappy prisoners, would have left his subjects further than ever from any prospect of political freedom. If our demands had once been complied with, we should have lost our power of remonstrance, and the Monarch would have obtained for the future something like a right to our support; while his people, though relieved from a very small portion of their grievances, would have lost much of their *status* for resistance. As regards Naples, we are inclined to think it fortunate that we have failed; but as regards our own position and influence in Europe, we have the mortifying reflection that we have undergone a defeat which is not the less annoying because it is ridiculous.

#### TREATMENT OF CRIME.—DETERRING PUNISHMENTS.

PERSONS whose notions of criminal jurisprudence are mainly traditional, or who approach the subject from without, and as one on which it is sufficient to *think*, and not necessary to *learn*, are apt greatly to over-estimate the deterring influence of punishment on malefactors and on society at large. The terrors of the law, it is imagined, will go far to prevent the victim from repeating his offence, and spectators from imitating it. This would seem, however, to be an error. It is the conviction of nearly all persons who have been long and intimately conversant with the criminal population, that punishments, of whatever sort, operate very slightly indeed as a check upon this class in the pursuit of their calling, or in the continuance of their previous course of life—so slightly, indeed, that, in considering the best means of repressing crime and the most effective treatment of criminals, we shall not greatly err if we leave this effect out of view altogether. Upon the casual and amateur offender, it is true, the sight, the recollection, or the imagination of the allotted infliction may have, and undoubtedly often has, a restraining tendency of very considerable power. He is not inured to guilt, nor has he taken up an habitual position of hostility and opposition to law. His crime is the result of yielding to an

unusual and transient temptation. The thought of the penal consequence, if he pauses at all, presents itself to his mind at the same time with the momentary longing, the gust of passion, the alluring opportunity—and he recoils. He is not committed to antagonism to society; and imprisonment, infamy, or corporeal inflictions, which are part of the understood conditions—the foreseen and calculated incidents—of the career of the professional malefactor, are to him something alien, startling, and repellent. The regular and the occasional criminal—the man who is wicked, and the man who is only weak—the man who lapses from innocence, and the man who lives in guilt—belong to entirely separate classes, have few mental or moral characteristics in common, and must be judged and dealt with according to wholly different rules. This is a distinction which we must never lose sight of, if we would understand and handle this matter aright. And in nothing do these classes diverge more widely than in the way in which they look on punishment, and in the manner and degree in which it influences them. The ordinarily honest man, who, under pressure of want, commits or is tempted to commit a larceny—and the ordinarily temperate man, who, in a frenzy of passion, commits, or is tempted to commit, a manslaughter or a rape—may often be withheld by the idea of the penalty from the crime which is to bring it down; or, if he has once endured that penalty, he will probably never expose himself to it again. But it is not so with the man whose trade and vocation is crime. To him the notion of the gaol, the convict-ship, and the gallows is as familiar as household words—as familiar as death or capture to the soldier. They are evils to be avoided, indeed, while they are faced, but which neither drive him back on the threshold from enlistment in his course, nor deter him from its ordinary enterprises and hazards.

If we consider the matter deliberately, we shall discover many reasons why it should be so. The mass of criminals are not men of quick or vivid fancies. Their executive and perceptive faculties are often preternaturally sharpened, but their contemplative and imaginative powers are blunted or lying in abeyance. Yet a very considerable endowment of these latter faculties is presupposed by the theory which lays much stress on the deterrent influence of penal inflictions. For, in order that punishment should be efficacious to deter, it must possess three attributes—it must be certain, it must be prompt, and it must be visible, or at least easily *realizable*. Now, our punishments scarcely possess any one of these qualifications. So far from being certain, they are very much a matter of chance; and the chances in favour of the criminal are more than twenty to one. It is calculated that an average thief may expect six years of impunity. Probably every committal represents at least fifty offences. The depredator, therefore, is not braving actual detection and retribution so much as their remote and problematic contingency. Neither is the punishment which is thus indefinitely postponed at all uniform or calculable when it comes. The criminal may be detected in one of the most trivial of his larcenies, and be treated with proportionate mildness. Even if caught in the commission of a grave offence, the sentence he may meet with depends greatly on the accident of the Judge who tries him—of the jury, who may be lenient and recommend him to mercy—and of the HOME SECRETARY, who revises the infliction according to his own inscrutable wisdom. It is not too much to affirm that the young villain who enters on a course of crime has no reliable data whatever on which to ascertain what fate he has to expect, or when that fate may overtake him. Nor are our punishments visible. In ninety-nine cases out of every hundred, the convicted criminal is removed from the dock, and never seen or heard of again by the spectators whose minds his penalty is supposed to terrify from crime, till he emerges after a lapse of years. In the case of the transported or the reformed offender, he is never heard of again. He disappears—that is all that is known of him. The world is told that he is in Pentonville, or on public works, or in the hulks at Bermuda; but what sort of an existence those vague words imply, none can know but that infinitesimally small proportion of the world which has been in those places.

There are three punishments to which it would be reasonable to attribute a powerful deterring influence, because they are cognizable by the senses, and are thrust upon our sight; yet every one of these English feeling or English sentimentality has eliminated, or is labouring to eliminate, from our penal code. We call out for deterring punishments, but repudiate the only punishments which really might

deter. We yearn for an effect, but object to put in action its only cause. The three visible inflictions are—working in chains, flogging, and hanging; and we revolt from all three. On the wisdom of this feeling we express no opinion. It may be that all these penalties are repugnant to civilization—that they brutalize far more than they terrify—that it would be undesirable to extend, or to retain, or to revive them; but certainly, unless we do—and there is no likelihood that we shall—we may as well agree to leave the deterring influences of punishment out of our calculation altogether. We shall thus be able to approach the subject of Secondary Punishment with a purged vision and singleness of purpose. We must set to work to “protect society” by some other process than that of frightening away from crime either the regular offender or the yet unfallen spectator.

#### NEUCHÂTEL.

ALTHOUGH the Prussian Government organs have persisted to the last in denying the reported settlement of the Neuchâtel dispute, there seems to be no doubt that diplomacy has at length succeeded in getting rid of a difficulty which only the most wicked perversity could have magnified into a *casus belli*. The days have gone by when a war for a punctilio would be tolerated by public opinion. Even in private life, we no longer deem it necessary, in this country at least, for two men to shoot each other in order to decide which shall be the first to proclaim a concession which both are ready to make; and though all the world has not yet accepted the conclusion at which the common sense of Englishmen has of late years arrived, it is pretty generally felt that the principles of the *duello* ought not to guide the policy of States, whose quarrels must, in the last resort, be settled, not by the fall of one weak-minded man, but by the needless slaughter of thousands of their best and bravest subjects. Throughout the contention which the King of Prussia so wantonly provoked, there has been no substantial difference between the disputants. The Swiss avowed, from the first, their willingness to release the Royalist prisoners, in return for the renunciation of the treaty rights of the Prince of Neuchâtel. It was transparent, too, through the veil of his boastful diplomacy, that the King of Prussia, if he could get no better terms, would be delighted to abandon his shadowy sovereignty by way of ransom for his revolutionary partisans. This was the bargain which the situation obviously suggested; and the sole question which has kept Europe in a state of nervous excitement for some months past was, whether the King would frankly accept the terms to which he had already made up his mind, if necessary, to submit. We have very little sympathy with the peace-mongers of Manchester; but, had Europe been deluged with blood for such a cause, it would have been difficult to refrain from joining in the denunciations which Mr. COBDEN would doubtless have poured forth, with somewhat more than his usual justice.

Although, however, the threatened war would have been a crime on the one side, it would have been a sad necessity on the other. It was not a mere point of honour for which the Swiss contended. They may have felt convinced, even without the assurance of the Emperor NAPOLEON, that the surrender of an empty title was not a higher price than the King of Prussia was willing to pay to escape from the dilemma into which his arrogance had thrust him. But they might reasonably doubt whether the preliminary release of the prisoners would have been followed by a concession to which their adversary had steadily refused to pledge himself. It was hardly to be expected that the Federal Republic should share the blind confidence which the EMPEROR has naturally acquired, since his accession to the throne, in the scrupulous honour of Sovereigns; and it was rather unreasonable in an ex-refugee to scold a nation of straightforward mountaineers for not placing implicit reliance in a Royal assurance which they were told they might expect as soon as they had thrown away the only weapon with which they could extort it. The title of the *de facto* Government of Neuchâtel is at least as good as that of NAPOLEON himself, and a little older; but neither the Cantonal authorities nor the EMPEROR “by the grace of God and the national will” could expect to get an express renunciation of the claims of a Pretender, except by buying them up. An abdication by the Count DE CHAMBORD of a throne which he never filled would not, perhaps, be much prized at the Tuileries; but the abandonment of a vexatious claim by a reigning Sovereign is a more important matter, and the Swiss would have acted very rashly had they given

up their unquestionable right of punishing an abortive *émigré* without first receiving a satisfactory guarantee for the performance of the condition which they were in a position to demand as the price of their clemency. The consequences of yielding to the threats of Prussia, without at the same time securing the independence of Neuchâtel, would have involved a serious danger to the tranquillity of Switzerland, as well as an affront to her dignity. Insurgents who can fight with the certainty of ultimate immunity are not easily kept quiet; and the game which had been played once without success might have been repeated, under more favourable circumstances, with a different result.

Switzerland has not, at any stage of the contest, demanded more than the strict rights which the law of nations gives her; and she has only used those rights to obtain a guarantee essential to her future peace. The menaces of a powerful Monarchy, the adverse feeling of the German Courts, and the rebukes of a patronizing friend—inconveniently near and irresistibly powerful—never for a moment shook the resolution of her Government or of her people. The common danger enlisted even the friends of monarchical rule in the cause of their country, and a force was rapidly organized which might well make the King of Prussia pause, though at the head of his boasted 130,000 men. It is still more creditable to the rulers of the Republic that the excitement of military preparations for national defence did not tempt them to stickle for one atom more than the essential interests of Switzerland demanded. No point of form was raised. They did not insist, as they might plausibly have done, on a direct concession from Prussia herself. A satisfactory assurance, in any shape, that Neuchâtel should be free, has throughout been sufficient to satisfy their demands. Whether such an assurance should be given by Prussia herself, by a collective Note, or by the guarantee of other Powers, was treated by the Federal Government as a matter of indifference, provided that the practical result, for which they were prepared to brave an invasion, could be secured. This temperate and manly attitude has been rewarded as it deserved, and Switzerland issues from the contest with her demands satisfied, her honour unsullied, and her dignity and independence assured.

The flatterers of the King of Prussia will doubtless assure him that he, too, has gained his ends and preserved his honour. His course has been in strange contrast with the frank dealing of the Swiss; but perhaps the royal honour is too delicate to be maintained by the practice of such plebeian virtues as openness and candour. All the public declarations made on the part of the KING have insisted on the unconditional liberation of his anarchical friends as a preliminary to any negotiation whatever; and the only inducements held out to Switzerland to consent to the abandonment of her strict rights were vague references to his past moderation, and vaguer intimations of future concessions, to be vouchsafed as soon as he should have gained his point. But while this was the language put forth to the world, a different tone seems to have been employed in the private communications addressed to one or more of the Great Powers. Publicly, the KING would have nothing less than an unconditional surrender. Privately, he would be grateful to any State which could manage to let the Swiss understand that their proposals would be acceded to, without compelling him distinctly to accept them. If it be true, as stated, that England has joined with France in offering an assurance in favour of the entire independence of Neuchâtel, there can be no doubt that something equivalent to a pledge to that effect has already been given to the mediating Powers. So long as the English Government remained in ignorance of the intentions of Prussia, Lord CLARENDON declined, expressly on that ground, to counsel the Swiss to surrender the prisoners; and the subsequent adoption of a different course is tantamount to a declaration that Prussia has at length given the required assurance.

It is difficult to understand how the dignity of the KING is better sustained by this tortuous course than it would have been by a direct consent to the terms which were offered to him. The arrangement is not the less a bargain because his assent has been given by a secret understanding instead of an open declaration. He is as much bound, in every sense, by private intimations to France and England as he would have been by an express contract with his opponents; and there is quite enough on the face of the transaction to show that the release of the prisoners has, in fact, been purchased by an equivalent renunciation. The attempt to keep the actual terms in the background does not alter the state of the case—except, indeed, by showing that the



KING has not the courage to admit that his first pretensions were extravagant. In diplomatic language, the honour of a country is supposed to consist in the success with which it supports its demands, rather than in the reasonableness which characterizes them. Understood in this sense, the honour of the King of PRUSSIA has been preserved, if at all, by threats which he did not venture to enforce, by public bravadoes belied by secret concessions, and by an adjustment of the quarrel which disguises a real failure under the form of a doubtful triumph.

#### REMEDIES FOR FRAUD.

OUR English THEMIS is a most unmanageable jade. She is like one of those clever old steeple-chasers which are so accustomed to clearing impossible ditches, and forcing their way through impenetrable quicksets, that they cannot be induced to run straight on level ground. Nothing will break her of her eccentric skittishness. When a real tangle of difficulties has to be got through, there is no law in the world that can perform the feat as ingeniously as our own; but if the easiest possible problem is presented, the boasted common law of England is sure to be baffled by the very simplicity of the task. More statutes than a man can count in a week have been devised to control the exuberant subtlety of our jurisprudence into obedience to the dictates of common sense; but it is all in vain. Take a case in which it might be thought impossible to go wrong. Let us suppose that a confidential clerk has, by a successful forgery, defrauded you of a round sum of money—say 1025*l.* 3*s.* 6*d.*—and that, after spending the 3*s.* 6*d.* in replenishing his cigar-case, and the 2*s.* on a gorgeous entertainment to his friends, including yourself, he has prudently invested the 1000*l.* in the purchase of a charming cottage residence. One would think that there could be but one way of dealing with such a fraud when discovered. The man must be sent to a colony, if one can be found to receive the rascal—or, if that is impossible, he must be consigned to penal seclusion at home; and further, the remaining proceeds of his plunder must be restored to the rightful owner, as a partial compensation for his loss by the robbery. This is what common-sense would say; but the law cannot condescend to anything so obviously right. It has a thousand clever reasons for avoiding a course which would do justice without affording the smallest opening for subtle technicalities; and whenever an Act is passed to further the ends of justice, some wonderful device is sure to be found for defeating its provisions.

Until within the last fifty years, there was no punishment at all awarded to the crime of embezzlement, because, said the law, the offender was a mere debtor, and had at most been guilty of a breach of trust. But this was too mischievous an anomaly to be endured even in the palmy days of ELDON, and accordingly a statute was passed, declaring that thenceforth embezzlement should be treated as felony. But legal perversity was not to be baffled, even by this stringent enactment. It is true it was no longer possible to let the offender off without the punishment he deserved, but there was still a clever revenge to be taken upon the prosecutor. Very soon after this enactment, an attempt was made to recover by civil process certain property which a dishonest clerk had purchased with the money he had purloined. Then came the triumph of the law over the innovators who had dared to meddle with it; for Lord ELDON, in strict accordance with the most ancient precedents, rejected the demand for relief, complacently remarking that those who had obtained the Act of Parliament would be much surprised at the result.

This admirably contrived device for defeating justice still adorns our jurisprudence; and although, in cases of simple theft and some other analogous crimes, restitution of the stolen goods follows a conviction, the law still refuses in many instances to restore the fruits of money criminally obtained to the man from whose pockets it was originally filched. But it must not be supposed that this rather important matter has been altogether forgotten. On the contrary, the genius of our law has from time immemorial spent more wisdom upon it than one would have thought possible, and has elaborated the most complex rules for the disposal of property found in the hands of a felon. The fundamental principle is to constitute the Crown a sort of authorized receiver of stolen goods. If JOHN SMITH cheats a man out of his money, and gets convicted for his pains, the booty is given to the QUEEN, instead of being restored

to the loser. Her MAJESTY, indeed, having more conscience than the law, is in the habit of giving up such unseemly gains to the rightful owner; but this is an act of pure grace which the law may be presumed to regard as a manifestation of weak scrupulosity. But it is not all the felon's plunder that is so disposed of. Such a rule would be much too simple. The old black-letter law had a vastly more intricate way of dealing with it. All the goods and chattels were to go to the KING, and so were the freeholds which the convict might have for life. But if he had entailed his estate, the Crown could not touch the inheritance; and if he had bought the fee simple out and out, the Royal privilege was limited to pulling down the felon's house, burning his fences, destroying his trees, and ploughing up his kitchen garden. And even this valuable right was denied in the case of minor felonies. Some of these absurdities have been pruned away from time to time by successive statutes, but the essence and spirit of them survive; and even now, when a man is convicted of certain kinds of felony, the goods and chattels which he has purchased with the spoil are given to the Crown, and the land remains the property of the criminal himself—apparently because neither the one nor the other has the smallest right to them.

A curious illustration of the rule has lately occurred in Ireland. A Mr. KNIGHTING, the chief transfer clerk on one of the principal railways, had, by means of forged transfers, helped himself to many thousands of pounds at the expense of the Company, and, being duly convicted of the offence, was sentenced to six years' incarceration. He had invested part of the plunder in personal property, and with the rest had become a considerable purchaser of land in the Encumbered Estates' Court. After the conviction, an inquiry was instituted, on behalf of the Crown, into the property of the felon; and on that occasion the Company and the criminal himself were both represented by leaders of the Bar. The Company, it was acknowledged, had no right to put in any claim to what was in fact their own property; so their counsel contented himself with supporting the demand of the Crown, in the hope that what might be recovered would be graciously handed over to the plundered shareholders. But the singular part of the proceeding was, that Mr. HAYES, the convict's counsel, successfully contended that not one inch of the real property was lost to "the unfortunate gentleman" who was about to be deprived of his liberty for a period of six years. It is possible that, by some future proceedings, the Company may be able to recover some of their loss from the criminal on the expiration of his sentence; but Mr. HAYES was indisputably right in saying that, while so much of the property plundered from the Company as had been invested in personalty passed to the Crown, all that had been laid out on real estate belonged absolutely to the prisoner himself.

Unless it is thought desirable to offer a premium for roguery, the Legislature must speedily find a different method of dealing with the plunder which a prisoner may have accumulated, by applying it in the first instance to reimburse those who have suffered by his crime. If a garotter empties a man's pockets, the stolen goods are always ordered to be restored; and there is still greater necessity for applying a similar rule in the case of those enormous commercial frauds to which it is proposed to extend the penalties of the criminal law. In any measure for this purpose, it seems essential that provision should be made for making good the loss out of the prisoner's property. If adequate machinery were provided for this purpose, the criminal proceedings would in most cases supersede the necessity of a civil suit for the recovery of the misappropriated property. Occasionally it would still be requisite to resort to the Court of Chancery for the sake of extracting from the offender information which could not otherwise be obtained; and it will therefore be absolutely necessary to secure, by express enactment, the validity of such proceedings, and to prevent the possibility of a criminal prosecution being used as a ground for refusing discovery. The benefits of a law making breaches of trust criminal would be dearly purchased by renouncing the right of obtaining restitution through the Court of Chancery; and, indeed, the failure of the Bill of last year was occasioned by the want of a clause to preserve the existing civil jurisdiction in such cases. The omission will doubtless be supplied in the measure which the ATTORNEY-GENERAL has promised to introduce next session; but the efficiency of the scheme will mainly depend on the conditions imposed in this respect. An unconditional right to sue a fraudulent director or trustee in the Court of Chancery, and at the same time to prosecute him at the Old Bailey, would scarcely be con-

sistent with the principle of not compelling a prisoner to give evidence against himself; but the objection, it would seem, might be sufficiently met by a provision that the answer extorted from the criminal in the civil suit should not be admitted as evidence against him on his trial.

Even with this restriction, however, the discovery might indirectly afford a clue which would enable the prosecution to be brought to a successful issue; and it has on this ground been suggested that the civil proceedings, if actually taken, should be an absolute bar to any criminal charge for the same matter. But it is to be hoped that the ATTORNEY-GENERAL will not allow his Bill to be emasculated by any such sentimental regard for the interests of criminals. The rule that a man shall not be compelled to criminate himself is no doubt sound enough, but, like every other rule of criminal procedure, it is intended to protect the innocent, and not to screen the guilty. We do not, in this country, compel a prisoner to undergo an examination, because it is believed that such a course might occasionally embarrass and injure an innocent man. But if we could prevent any such consequence, it would be folly to forego so effectual a means of convicting the guilty. An answer obtained in an independent proceeding, with the condition that it should not be used as evidence on the criminal trial, might be very serviceable in guiding the prosecution against a really guilty man, while it could not possibly impair the defence of a prisoner who had been falsely accused. There seems no reason, therefore, why civil and criminal proceedings should not be allowed to go on together; and half the value of the promised relief will be lost unless this point be conceded.

There are some who take a sporting view of a criminal trial, and would as soon think of shooting a fox as of convicting an offender without giving him the advantage of all sorts of legal privileges, to which he is supposed to be entitled by the laws of the game. But we confess to no sympathy with this notion, extensively as it prevails among Quarter Session magistrates; and the only justification we can recognise for a rule of procedure which favours the escape of the guilty, is that its abrogation might have the effect of endangering the innocent. No such consequence, however, would result from the right to pursue both the civil and the criminal remedy at once, if limited in the manner we have suggested; and it is certain that the refusal of this privilege will save many offenders from well-merited punishment, and give a most dangerous and demoralizing impunity to crime.

#### THE NEW ROMANCE OF HISTORY.

SOME few years ago, a living writer undertook to explain the Bible history by the light of our own modern political struggles. He contrived to discover Jacobites and Hanoverians in the records of the kingdoms of Judah and Israel, and the successive reigns of AHAB and JEHOASHAPHAT were made lively by a fancy picture of the struggles of Hebrew Whigs and Tories. The Book of Chronicles he considered the production of a Jewish ALISON. This notion of weakening the credit of all history by representing it as coloured with the historian's party prejudices, reached its climax in Germany, where a writer once discovered that TACITUS and SUETONIUS, in their zeal for the religion of old Rome, blackened the character of TIBERIUS because that respectable Sovereign was a secret adherent of Christianity. The joke of all this is the affectation of seeing in plain commonplace history what no human being before has ever found in it. We have been told of long and bloody battles which have resulted from a lady's handkerchief, and authentic accounts exist of treaties concluded by the excellence of a diplomatist's cook. A *pirouette* or a ribbon has been said more than once to have settled the fate of nations. These secret springs of history are a fruitful topic for the ingenuity of paradox or the licence of fiction. A disciple of this school of philosophical politicians has just presented the world, or the world's "Own Correspondent" at Paris, with a notable specimen of his craft. It appears in the form of a letter—a new *soirée de St. Petersburg*—professing to emanate from, or to represent the views of, the Russian *Chancellerie*; and it was given to mankind in the Paris correspondence of Tuesday's *Times*. With that frankness which is the surest guarantee of truth and sincerity, it tells us very minutely what are to be the future relations of Russia and France. Forewarned, forearmed; but if this is the policy of Russia, her statesmen have certainly lost their traditional

credit for astuteness in thus early showing their cards. As connected, of course, with M. DE MORNAY'S marriage, the letter in question reveals a new *entente cordiale* between the two Emperors, and sketches out an extensive commentary on the saying, *L'Empire, c'est la paix*. The axiom, it appears, is to be inverted, and for the future we are to read, *La paix, c'est l'Empire*. As once or twice before in history, it is again seriously proposed to divide the world. Just as the POPE wanted to divide the New World between Spain and Portugal, so now—to borrow the style of a message once sent to MAHOMET—ALEXANDER, the Apostle of God, writes to NAPOLEON, the Apostle of God, "Now let the earth be half mine and half thine."

To common readers, the ingenious and ingenuous document which suggests this nice little partition of the globe—this partnership in universal empire—this two-headed autocracy under the Limited Liability Act—only looks like a composition of the "Georgian Railways and Revolvers" type. It seems either an unmitigated hoax on the *Times* Correspondent, and a somewhat heavy-sailing *canard*, or perhaps a political exercise—a sort of sophistical parody of a diplomatic memorandum—set to try the powers of studious young *attachés*. In this latter quality, the St. Petersburg letter has its literary merits. It parodies pleasantly enough the solemn nonsense which the world generally views as Statecraft. It reads very like what we are often called upon to accept as a political memoir; and—which betrays its merely literary origin—it travesties with some little humour many of those profound speculations generally called the Philosophy of History, which profess to account for very commonplace things by assigning them to the most ingenious and recondite causes. It is under this aspect that we shall examine it; for, as to the future of Europe which it professes to reveal, it has no novelty. The light it professes to throw on the past is its speciality.

Political histories of the present century are not uncommon. We have been told that the great war which terminated in 1815 was a war of principles. What those principles were, and what the principles of the Peace of Vienna were, every child in Europe knows—or has hitherto thought that he knew. We have heard of the Holy Alliance, and it has generally been admitted that, on the whole, England played no very selfish part in the war, nor reaped very substantial advantages from the peace. The Russian *Chancellerie*, however, has made a discovery. It was neither METTERNICH, nor Pozzo DI BORGO, nor the foreign policy of the Continental statesmen, which triumphed in 1815. The whole thing—the rectification of frontiers, and the consolidation of kingdoms—was a bubble. Poland and Lombardy were no acquisitions to the great Powers who pocketed them. It was not in a gain to Absolutism, or in a loss to the Republicans and *Carbonari*, that the forty years' peace was inaugurated. Every kingdom in Europe suffered by what it gained, England's was the solitary solid advantage. England had but one object, either in making war or in making peace—that object was to sell cotton goods. With a refined ingenuity which outwitted every Cabinet of Europe, she, and she alone, of malice prepense, with set and deliberate purpose, conceived, planned, and executed the Peace of Vienna—all for greed, and in the sacred selfish interest of Paisley prints and Sheffield cutlery. CASTLEREAGH, with a genius of Satanic magnitude, contrived to give everybody exactly what they asked for, with a certain conviction that the gift, like PANDORA'S, was fatal. Every blessing which every empire and kingdom obtained was only a disguised curse—every external and territorial acquisition was only an element of internal weakness. And England knew it, and laughed in her sleeve as the assembled Kings divided the spoils of prostrate Europe. With matchless foresight, she foresaw that it was a game in which everybody was sure to lose except herself. As to Lombardy, England knew that that province would prove the greatest possible thorn in the side of Austria, and therefore consented to the acquisition. Then about Poland—how plain to malignant England that its occupation must entail on all the great contending Powers the necessity of keeping up vast armies! But if Russia was to keep up an army, of course Russia could not develop her resources—therefore the permanent partition of Poland was agreed to only with an eye to the Manchester markets. "Austria, Prussia, and Russia," says our philosophical historian, "accepted blindly the common drag-chain of Poland. If to Austria Lombardy and Venice were ceded, it was because the implacable hatred of the Italian Peninsula was attached to the fatal gift. To Prussia were accorded the Rhenish Provinces, not to speak of Neuchâtel, as a fertile



source of embarrassment for the future." France was "inoculated with the views of a Constitution à l'Anglaise," because England prophetically foresaw "the two catastrophes of Revolution which we have witnessed." Actually, in 1815, England forecast, and calculated upon, the expulsion of CHARLES X. and LOUIS PHILIPPE—or, as the letter writer expresses it, "it was the leading thought and the hand of England which placed with infernal art, under every throne of the Continent, the elements of disorder. England gave to every State its portion of the general spoil as a cause of weakness—an element of dissolution—a principle of decay." Our policy, in short, was to poison every State in Europe—to mix in everybody's cup the permanent menace of trouble and revolution—to provide for the decline and decay of all the Continental Powers—to annihilate their industry, and to make their internal development impossible. England alone has benefited by the treaties of 1815. While all Europe was shearing the hog of disastrous politics, England has cropped the golden fleece to the value of "60,000,000,000f."—neither more nor less—by the Forty Years' Peace. This was the "Machiavellian policy of the Cabinet of St. James's, which has rendered every country in Europe its dupes and victims." At length, the eyes of cheated Europe are opened—the great States have found us out. "Notes have been drawn up—overtures made—communications exchanged—negotiations are at this moment carried on." Another Holy Alliance is already commenced. France and Russia at last understand each other. A league against England and its COTTON-CASTLEREAGH policy is settled, &c. &c.

The chief reflection which suggests itself on perusing these marvellous disclosures is, what injustice we have done to our best friends! Now, as ever, the world knows not its greatest men. It is the prophet's and sage's—and therefore the politician's—melancholy destiny to be without honour in his own country. Who could have thought this of our own CASTLEREAGH? Who could have believed that he choused, successively and successfully, METTERNICH, and HARDENBERG, and even the Tartar cunning of ALEXANDER himself? It is rather late in the day, however, to be assured that at the Congress of Vienna, the barricades of July, and every trumpet and vial of 1848, were revealed, in prophetic vision, to our Patmos in Downing-street. It is but tardy justice which history is rendering to the master-spirit of the Foreign Office in 1815. To think that we have had such a policy, and never knew it till now—that the empire of cotton and the imperial sway of hardware are only now revealed! M. JOURDAIN's surprise at the discovery of his unknown acquirements in prose do not equal our own astonishment at the perfection of British policy and the long-sighted malice of British statesmanship which are so tardily revealed to us. Not only are we a great and understanding people, but we have never known our own wisdom. It is a sublime thought that King FERDINAND and POERIO—POLIGNAC and KOSSUTH—the struggles at Paris and Brussels, and Berlin and Vienna, and Rome and Warsaw, and Madrid—Holstein and Sicily—all the past European wars and rumours of wars—revolutions and *coups d'état*—Red Republicanism and constitutionalism—absolutism and carbonarism—dynasties and nationalities—TALLEYRAND and NESSELRODE—all have received and obeyed the secret instructions of the Manchester Chamber of Commerce. It is an astounding reflection; and it is only equalled by one more astounding—that there should be a single human being out of Bedlam who, except for his amusement, could write, or at any rate who could seriously accredit, this delectable fooling.

#### THE BULLION ROBBERY.

OF the many causes célèbres which have recently attracted the attention of the public, we know of none more curious than the case which terminated on Thursday afternoon in the conviction of Pierce, Burgess, and Tester, for the robbery committed on the South-Eastern Railway. Psychologically and scientifically speaking, no doubt, the crimes of Dove and Palmer were more remarkable—the social and moral interest of the cases of Sir John Paul and Robson may have been greater—but, as a revelation of the internal arrangements of what one may call the administrative system of professional criminals, and as an illustration of the character of circumstantial evidence, the great bullion robbery stands quite alone. The length of the proceedings, and the frequency with which they have been brought before the public, have been such that we shall, we think, be doing a service to our readers by giving them a connected statement of the case, and of the evidence by which it was supported. The case rested mainly on the testimony of Edward Agar himself, the principal agent in the crime; but his statement was incidentally corroborated in a

number of minute particulars, the nature and value of which we shall attempt to point out in the course of our narrative.

About four years ago, a man named Pierce, who had been employed by the South-Eastern Railway Company, applied to Agar—who seems to have enjoyed and deserved the very highest professional eminence—for his advice and assistance in a plan of robbing the bullion chests which the Company is in the habit of transmitting to the Continent. Agar considered the scheme brilliant, but impracticable, and went, apparently upon professional business, to the United States. On his return, the negotiation was renewed, and he then gave an opinion that the scheme might be carried out by the employment of false keys, and that, if they could be obtained, he "would have no objection to undertake" the engagement. At the time when the arrangement was concluded between Pierce and Agar, the prisoner Tester was station-master at Margate. He received a visit from Agar, and told him that the keys had been in his possession when he was a clerk at Folkestone. Hereupon, Agar and Pierce took lodgings at Folkestone in May, 1854, in order to watch the method in which the bullion boxes were transferred from the railroad to the packet. They succeeded in ascertaining generally the mode of transhipment, and once saw the chest opened, and found that it had two keys. To obtain these results, they hung about the station, and were watched by the police, one of whom on one occasion followed Pierce through the town, being probably acquainted with his character. They also contrived, by the introduction of Tester, to make acquaintance with Sharman and Ledger, two of the railway clerks, and endeavoured to get information from Sharman, but in vain, because "he was a very sedate young man." They then returned to London. This part of Agar's story was fully confirmed. Mrs. Hooker, with whom he lodged—Hazel and Steer, the policemen who watched him and his companion—and Sharman and Ledger, who enjoyed his society, all corroborated his evidence, and Sharman was enabled to fix the date by the circumstance that he saw Agar about the time when his friend Ledger was married.

On his return to London, Agar, who had made as yet little progress towards his object, had a piece of good fortune. His friend Tester told him that one of the keys of the bullion chest was lost, and that the chest would have to be sent to Messrs. Chubb's that the lock might be "recombined." On the return of the box Tester found means to bring the keys to him at a public-house, where he took an impression of one of them in wax. This was confirmed by Messrs. Chubb, who produced the correspondence with the Railway Company on the repair of the chest, in Tester's handwriting, by which it appeared that Tester must have known of the fact at the very time when, according to Agar, he told him of it. As we understand the evidence, which upon this point is not quite clear, it would seem that each box had two locks, No. 1 and No. 2; and that the keys of No. 1 were kept in London, and those of No. 2 at Folkestone. In order to obtain an impression of the keys of the No. 2 locks, Agar went down to Folkestone in the course of the autumn, and, being well provided with cash, caused Pierce to send him a parcel in the name of Archer containing 200*l.* or 300*l.* in sovereigns. When he received this box from the railway company he saw the chest opened, and observed where the key was kept. He signed a receipt for it with his assumed name, and excused himself from filling up the body of the cheque by alleging that his hand was cut. In this he was confirmed by the production of the receipt, and the evidence of the clerk, who recollected the excuse which he had made, and by the evidence of another clerk as to the place in which the key was usually kept. Agar then returned to town, and brought down Pierce to help him in getting an impression of the key. It so happened that the clerks in whose office it was kept left the room for a few minutes, and so enabled the confederates to effect their purpose. Here, again, Agar's story was confirmed by the evidence of the landlady of the inn at which they had stayed at Dover, who remembered the visit of two persons resembling himself and Pierce. The conspirators—for their perseverance and talent really entitle them to the name—then returned to town, and Agar occupied himself in preparing the false keys from the impressions which he had made, and in concerting with Burgess, the guard, the measures by which he was to use the tools obtained with so much ingenuity. These conferences used to take place at the Marquis of Granby public-house, New Cross, and the barmaid remembered seeing the three prisoners there together. During the early part of 1855, Agar made, by his own account, as many as seven or eight journeys to Folkestone in the guard's van, in company with Burgess, in order to try whether the false keys would fit. When they were at last prepared for their purpose, the final execution of the scheme was arranged. The arrangements which were made for the purpose show a degree of coolness and method perfectly marvellous. The first step was to calculate the weight of gold which the three confederates, Tester, Pierce, and Agar, could carry; for, as Burgess could not leave the train, his assistance for this purpose could not, of course, be obtained. They thought that they should be able to carry 12,000*l.* worth, which, speaking very roughly, would be about 2 cwt. In order to make up the weight thus abstracted from the chest, they bought 2 cwt. of shot, which was made up in bags of 8 lb. and 4 lb. They provided themselves also with courier's bags and carpet-bags to carry the shot to the railway, and the gold from it. It is a little singular, that when so many

other circumstances in the case were verified by independent evidence, there was no confirmation of this part of Agar's story. The duties assigned to the accomplices were as follows:—Burgess was to take Agar with him in the guard's van. Agar was to open the bullion-chest, and exchange the gold for lead. Tester and Pierce were to go down in the same train, Tester stopping at Reigate to take part of the booty with him, and so lightening the burden of the other two; whilst Pierce was to proceed to Folkestone, where he was to share the remainder of the spoil with Agar. The confederates made several visits to the railway station before an occasion occurred on which gold was sent; and, curiously enough, no less than three such visits were spoken to by the cabmen who drove them.

At last the night of the 15th of May arrived. Pierce and Tester took their places—travelling first-class—in the train. Agar contrived to get into the guard's van, where Burgess covered him with a cloak. The train started, and the robbery began. Before the train reached Reigate, Agar had got Tester's share of the booty ready for him. He took it away, and, with strange imprudence, went, on his return to London, to the terminus of the Greenwich railway, where he was well known, and told the clerk there that he had been to Reigate and back since office hours. With an imprudence equally strange, he left the bag of gold lying in the station, and one of the porters who handled it remarked to the station-master that it felt as if it had a stone in it. Agar in the meantime filled his own and Pierce's bags with gold, to the value of 12,000*l.* They reached Dover at eleven, and returned to London by the morning mail, which left Dover at two, and reached town at four. It so happened that the train was almost empty, containing only about four passengers; so that the waiter at the inn, the porter at Dover, and the guard at London, were able to remember having noticed the prisoners' general appearance, and the great weight and small size of their luggage.

The treasure thus obtained was now to be disposed of. Part of it, consisting of American eagles, was readily sold. The mass of the gold was melted down at Agar's house at Shepherd's Bush, and was disposed of to a gentleman well known to the public, and described in the *Law List* as "James Townshend Saward, Esq., Special Pleader, Home Circuit," who, for the moderate commission of 1*s.* or 6*d.* an ounce, disposed of as much as 700 ounces. Mr. Saward unfortunately could not be called to corroborate a statement so creditable to his profession, as he is at present engaged in important business at the Police Courts, which will perhaps introduce him to a conspicuous position at the Old Bailey bar. But the omission was supplied by the attorney for the prosecution, who, on examining the house, found the remains of a furnace, marks of burning on the floor caused by the upsetting of a vessel in which the fused metal was contained, and a quantity of bits of gold which had run between the boards of the floor. A certain Fanny Kay, Agar's mistress, also swore that in the latter part of May, 1855, Agar and Pierce came to the house at Shepherd's Bush, and were constantly there, "very hot and dirty," working in the room in which the fire-bricks were discovered, with a huge fire, and a good deal of hammering. After about 2500*l.* had been realized, the amount was divided—Tester, Pierce, and Agar having 600*l.* each, and Burgess 700*l.* Agar seems to have had 300*l.* before the rest were admitted to share, and of some part of the plunder no account was given. The money divided was, according to Agar, in notes, which had been obtained by Pierce; and his statement was confirmed by the production, from the Bank, of three 100*l.* notes, endorsed by Tester. Another 100*l.* note was traced to Pierce, and three more to Burgess. Pierce was also proved to have been rich in May, and to have had his boots in pawn in February. Besides this, Agar said that he sold certain Spanish bonds, worth 240*l.*, to Tester, on the night of the division. It was proved by various stockbrokers and others that it was true that Agar had bought the bonds, and that Tester had subsequently sold them, buying others in their place. Such was the case for the prosecution, and one more entirely overwhelming was never presented to a jury. Indeed, all the ingenuity of three of the ablest members of the criminal bar could not induce the jury to suspend their verdict for ten minutes. Almost every material part of Agar's evidence was confirmed, and the fact—quite unexplained, except by the most gratuitous and unsupported suggestions on the part of the prisoners' counsel—of the sudden and extraordinary enrichment of Pierce, Tester, and Burgess, puts an end to all possibility of doubt on the subject. The most singular part of the story is that which relates to the manner in which the crime was discovered. Agar was convicted and sentenced to transportation for life for another crime. He had accumulated 3000*l.* in the practice of his profession, and had invested it in the funds. This sum was transferred to Mr. Wontner, his attorney, before his conviction, and was by him made over to Pierce, at Agar's request, for the maintenance of Fanny Kay and her child. Pierce seems to have appropriated the money to his own purposes, and to have turned Kay out of doors. She found means to communicate this to Agar, who revenged himself by telling the story of the robbery. The poetical justice of the whole would have been complete if Pierce had been transported for life. His case illustrates two defects of the criminal law. His worst offence, the robbing of Fanny Kay, was in all probability a mere breach of trust, involving no

penal consequences; and his other crime, aggravated by unparalleled premeditation and contrivance, was only simple larceny. Fraudulent breaches of trust will soon, we hope, be visited by their appropriate punishment; and we do not know why robbing by means of false keys should not be made a distinct offence, as well as stealing in a dwelling-house, or theft by a servant.

Considered in a social point of view, the most curious aspect of the story is, the professional spirit in which the whole crime was committed. Our notions of robbery are strangely confounded, when we find a successful thief buying Turkish bonds, and speculating in Spanish stock; and the funded property which was at Agar's disposal—amounting to 3000*l.*—is a brilliant example of the results which may be effected by a long-continued course of prudent, self-denying dishonesty. The whole transaction is like a return—graduated to the spirit of the age—to the days when gallant highwaymen exchanged compliments with the ladies whom they had robbed. It shows also that, notwithstanding all the praise which has been given to our detective police, their ingenuity is in reality very limited. Serjeant Shee could find no higher compliment for the persons concerned in the prosecution than the remark, that they had shown as much skill as the robbers. We doubt the fact. For more than eighteen months the culprits were unsuspected; and if Pierce had not brutally ill-treated the woman whom Agar entrusted to his care, the bullion robbery would have added another to the long list of undetected crimes.

#### SMALL PROPHETS AND QUICK RETURNS.

AS the cuckoo and the swallow herald the approach of summer, so, when the year is in its wane, the pantomime, the goose-club, M. Jullien, and the *Prophetic Almanack* make their appearance, and tell us that another New Year is at hand. The last of these annual institutions, being less ostentatious in proclaiming its existence than the others, may possibly have escaped the notice of some of our readers; and we think it right, therefore, if only for the sake of fair-play, to call attention to its merits.

At first sight, a prophet editing an almanack may seem an incongruity bordering upon the ridiculous; but let us consider the age in which we live. While the Metropolitan Police Act remains in force, to stalk abroad and deliver predictions orally, as in olden time, is attended with personal risk. Any public imitation of the garb or demeanour of Solomon Eagle would infallibly bring about a collision between the law and the prophet. Besides, as has been observed once or twice, we are a commercial generation—we must be appealed to through our pockets—we are suspicious of anything that is gratis, and prefer to pay our money, because it seems to guarantee a certain value, and also gives us a right to grumble. If the Pythian prophetesses were alive now, she would make an income by attending evening parties, and sitting on her tripod to appropriate music. The Eleusinian mysteries would be converted into an exhibition—admission, one shilling; the *mikra musteria*, sixpence extra; schools, half-price. What is there that a prophet can turn to, lighting upon days like these? He must either write *Apocalyptic Sketches*, like Dr. Cumming, or, if he be of a bashful and retiring nature, concoct an almanack like Zadkiel. Report and our own observation lead us to believe that the latter, though perhaps the less dignified course, offers on the whole a better investment for prophetic capital. We cannot speak with any degree of certainty as to the amount of honour which our minor prophets enjoy in their own country, but it is beyond a doubt that they have an uncommonly ready sale. Even Raphael—a luxurious two-and-sixpenny prophet, with a coloured frontispiece—is purchased with avidity, in spite of his high price; while the less expensive Zadkiel and Old Moore have annual circulations that might excite envy in Mr. Martin Farquhar Tupper, were that proverbial philosopher prone to such a passion.

Of the sages we have mentioned, Old Moore is our own favourite. We like his sturdy adherence to an honest British name in preference to a mystical fantastic title, like those of his rivals. Besides, not content with a sixpenny issue—and surely sixpence is no exorbitant sum to charge for a work containing information on the changes of the moon, the future of Turkey, the cultivation of hyacinths, tomato sauce, the progress of reform during the coming session of Parliament, and a variety of other useful and entertaining subjects, together with a "hieroglyphic adapted to the times"—this great man, in order to suit the pockets of the very poorest, offers an edition at the small charge of one penny, which is as near an approach to a gift of prophecy as we could expect in this mercenary age. There is a geniality and humour, too, about Old Moore, which is wanting in Zadkiel and Raphael. Even when he has a sinister prediction to utter, he does his spiriting as gently and pleasantly as possible. For example, when he thinks it necessary to warn us about India, he does so in this cheery manner:—

The advertising sheets of the newspapers have long rendered the public familiar with the King of Oude's sauce; but the Governor of India, Lord Canning, would perhaps hardly have expected that the king would have given him so much sauce in the shape of plots and conspiracies against British rule. Let me add, seriously, India will be in an excited state, and great judgment is required to preserve order.

But what above all endears Old Moore to us, is his extreme antiquity. Raphael and Zadkiel can boast a respectable number of years; but, in point of age, they can no more be compared



with Francis Moore, Physician, than the Crystal Palace with the Great Pyramid. For at least a century, his almanack, with its red and black print, has been a familiar object in the stationer's window; and, for aught we know to the contrary, it may have been in existence since the days of Caxton and Wynkyn de Worde. Of what his age may be now, we can of course form no idea. The earliest mention we have of him is from the pen of Chaucer, who evidently alludes to Dr. Moore when he speaks of a "Doctour of Phisike" who was "grounded in astronomie." Having thus the personal experience of ages, Francis Moore has a great advantage over his prophetic brethren. While they must needs be content with the voices of the stars, he has the whole course of events for centuries to fall back upon. To this may be attributed the extreme caution—not to say haziness—of his predictions, and the sententiousness of his style. He knows tolerably well what will suit in any case, and never commits himself by rash augury, let Saturn or Mars say what they will. Here are a few specimens from his almanack for the present year:—

Although the year opens with the great infortune, the evil will be ameliorated, if not entirely averted, by the *trines* and *sextiles* which follow. . . . It is not unlikely that Mars in his particularly *quartile* position may bring some passing shadow upon France. . . . The *trines* which occur in the beginning of October are full of encouragement for the long-suffering sons of Hibernia. . . . [How good-natured of the *trines*, whoever they may be.] . . . There will be many worshippers at the shrine of Hymen, to secure that best of earthly blessings "domestic bliss." . . . No matter what may depend upon the delay of an instant, the rising of the sun, and the going down of the same, are true to their appointed times.

This is an observation as truthful as it is beautiful. Never yet did the sun go down a second before sunset.

Zadkiel and Raphael are prophets of a different stamp. With the impulsiveness of youth (they are not above thirty or forty years in the business), they have rushed in where Old Moore feared to tread, and are astrologers *pur sang*. Thus, in place of the genial morality that adorns the writings of the elder sage, we have a great deal about benefices, and houses, and conjunctions, and cusps, and other matters which the uninitiated dare not criticise. All we can do, therefore, is to draw aside the veil as far as may be permitted to our ignorance, and catch some small glimpse of what is in store for us. Zadkiel—who also, it seems, goes by the names of Tao Sze and Mr. Samuel Smith of Brompton, where he calculates nativities on application by letter *only*—is of opinion that, about February, there will be a change in the Ministry. "Lord Palmerston," he says, "had Saturn in opposition to his Moon a few weeks prior to this, and would be hard pushed to hold his place as Premier. At any rate, a great change takes place now among the ruling powers." This is definite enough, but on turning to Raphael for the same month, we relapse into uncertainty. It is the belief of that soothsayer that "the hands of the Government are strengthened, and some members of it receive especial marks of favour from the Queen." The latter predicts that in April—and observe what solemnity the present tense gives to the dictum—"the Emperor Napoleon is troubled." Zadkiel, however, says that "the Emperor of the French has now (April) a happy aspect of Jupiter to the Moon's place in his nativity," the consequence being that "he gains honour, obtains his desires, and extends his power." These doctors do not always differ thus; for while Zadkiel obscurely hints at "troubles destined for the land near to this period" (i.e., May, 1857), Raphael boldly points to the quarter whence these troubles may be expected:—"The influences are good for Lord John Russell."

For the benefit of the unbeliever, both our prophets print a few of their predictions for last year, with fulfilments fitted to them. In May last there was to be a transit of Jupiter "benefic to the Royal Nativity, passing the place of the luminaries therein. Hence I predict," says Raphael, "good health to the Queen and important national benefits;" and lo! to the confusion of all scoffers, when May came, the Peace Trophy—that important national benefit—was inaugurated at the Crystal Palace "in the presence of our beloved Sovereign and the Royal Family." For March, 1856, Zadkiel advised "very particular care" of the health of the Princess Royal, and added, "To the Court doctors I say only *verbum sap.*; but I forget that I speak to deafadders." Raphael was more vague, but calculated the time better. For July he foretold that "a distinguished Lady suffers severe affliction." Say, O ye sceptics, did not Her Royal Highness' dress take fire last summer?

Raphael, as well as Zadkiel, casts nativities for anxious inquirers; but we learn that no personal interviews are granted except by special arrangement. You are to address your communications to Raphael, Beresford-street, Walworth, and perhaps you had better enclose a stamp, as Mr. Samuel Smith Zadkiel requests his customers to do. After the fashion of the cheap photographers, our sidereal artist exhibits specimens of his skill with an air of "Your nativity cast in this style on the receipt of a post-office order." Among other eminent individuals, Palmer and Dove are astrologically treated of, and it is gratifying to find that the stars fully concurred in the sentences passed on these criminals. Dove, it appears, might have escaped if "some talented and judicious professor" had warned him of the coming transit of Saturn; but the odds were fearfully against him, for "all the planetary orbs except Uranus joined in the train of influences; nothing could more clearly point to the awful termination of this man's worldly career." In Palmer's case there was no chance,

for, although Jupiter, appearing on earth as Mr. Sergeant Shee, was powerful in his defence, "Mars, signifier of the judges, was in opposition." From the other nativities we learn, as to Prince Albert, "there is some probability, from his personal appearance," that he was born near three or four o'clock P.M.—that the Imperial Prince, who is introduced as "this native," is destined to rule the French nation—and that the Count of Paris may at a future period ascend the throne of France, but Raphael will not take upon himself to predict positively.

But perhaps the most interesting page in the Almanack is that which contains a sketch of the characters and dispositions of the planets. Mars, it seems, is rather hasty in temper, and apt to be mischievous when roused, but, on the whole, not a bad sort of star. Jupiter is an easy-going, thoroughly good-natured planet, who tries to make things comfortable for us, and would do so if it were not for that Saturn, who astrologically is the greatest bore that ever made a revolution. He must have been crossed early in life by a comet, so crabbed and misanthropic is he in his behaviour. Here is Raphael's account of him. "He causes loss of honour and good name, derangement of a native's pecuniary circumstances, all slow diseases, consumptions, colds, melancholy, skin diseases, gout, defects in the teeth, ears, pains in the joints, cancer, rheumatism, &c." This is very dreadful. An oyster may be crossed in love, but we had no notion a native could be crossed in so many different directions by one malevolent heavenly body.

And now comes the question, What are we to understand by all this? We do not mean Raphael's and Zadkiel's philosophy, but their unquestionable success and popularity. Of course any individual Brown, Jones, or Robinson detected in the act of purchasing a Zadkiel or Raphael, would tell us he did so "for the fun of the thing;" but can we believe that a keen sense of humour is so widely diffused that the hundreds of thousands of Browns, Joneses, and Robinsons who support those seers, are all in quest of fun? We fear not. Unpleasant as it may be, we fear we cannot escape the conviction, that a considerable per centage of our population to this day believes in nativities, horoscopes, and portents—that Dr. Dee and his crystal have not wholly passed from among us—that, after all, the repeal of the witchcraft laws may have been a premature piece of legislation. Beyond a doubt, there are some facts to go down to posterity, which, taken in connexion with our railways, our steam fleets, and our telegraph cables, will make our intellectual position a difficult subject for study. We are eminently educational—we make a prodigious fuss about free libraries and mechanics' institutes—but beyond all this, like the lagoon of a coral-reef, lies a quiet sea of superstition and ignorance, where the troubled waters never come. Perhaps our system has something to do with the anomaly. We supply materials for thought, it is true; but it is by no means clear that we teach the art of thinking. It is not enough for the educator to pour fact after fact into the educatee—here a little geology, and there a little chemistry—a line of history upon a line of mathematics. A young man educated after this fashion attends a lecture on the wonders of the electric telegraph, and comes away in a fit state for the operations of our friend the prophet. He has a confused notion of a mysterious agency annihilating time and space—of the limits of science—of cause and effect—of possible and impossible. Then comes Raphael, or Zadkiel, or Zamiel, and sows his tares. If it be possible at Liverpool to produce an effect upon a magnet in America, why may not Uranus or Saturn produce effects on this earth, and set the Princess Royal's dress on fire? The connexion between cause and effect seems just as clear in the one case as in the other. It is precisely this sort of *argumentum ad ignorantiam* that Zadkiel employs. Taking up that unfortunate remark of Dr. Daubeny's upon the influence of the moon on a bit of steel suspended near the earth, and the possibility of a similar influence of the stars on man, he cites a number of facts tending to show a connexion between the aspects of Jupiter and Mars and the height of the barometer, and insidiously argues that, as "the barometer is the index of the ruin or salvation of the country," the stars do therefore exert an influence over the destinies of man. This reasoning, no doubt, may seem conclusive to an unmethodical thinker, who places Lord John Russell and the barometer in the same category, and who fails to perceive that, though there may be some remote connexion between Mars and the weather, there can be none between that planet and the mental powers of any noble lord. And then a few fulfilled predictions like those we have quoted settle the question. It never occurs to him to examine the nature of these fulfilments, or the chances in favour of so large a mass of prophecy sown broadcast—still less does he think of setting off *per contra* the predictions which have proved false, and seeing which way the balance lies.

#### COUNSEL AND CLIENT.

THE Court of Common Pleas on Monday last discussed, rather than decided, a case which involved a principle of great importance, not only to the bar but to the public. Its facts were shortly these:—Mrs. Swinfen, the plaintiff in the action of *Swinfen v. Swinfen*, tried some months since at Stafford Assizes, was offered certain terms by the defendant, in satisfaction of her claims; and her counsel, of whom Sir Frederic Thesiger was the leader, wished her to accept them. This was on a Saturday. On the Sunday, she expressed her de-

termination, by a telegraphic despatch, to refuse them. On the Monday, circumstances came to the knowledge of her attorney, of which he had at the former conference been unaware, which led him to think it most desirable that the action should be compromised; and this opinion he expressed to Sir Frederic Thesiger, who fully agreed with him, and took upon himself the responsibility of accepting the terms which Mrs. Swinfen had refused, in ignorance of the circumstances which, after her refusal, came to the knowledge of her legal adviser.

The question for the Court was whether, under these circumstances, Mrs. Swinfen was bound by Sir Frederic's acceptance of the compromise. We need not enter into the various personal questions with which the main point at issue was mixed up. Language was used respecting Sir F. Thesiger which was severely rebuked by the judges to whom it was addressed; and it must be gratifying, though it cannot be surprising, to learn from the highest authority that there was no ground whatever for imputing dishonourable conduct to a man whose character has always been not only distinguished but unblemished. The question of public interest is of a very different order. It is, in a few words, as follows:—"What are the limits of the authority which a client delegates to his counsel, by the fact of employing him in that capacity?" An article which appeared in the *Times* on Wednesday last leads us to doubt whether the degree in which this question was affected by *Swinfen v. Swinfen* is generally understood. It was, in fact, touched, rather than decided; for the form in which the case came before the Court was such that unanimity amongst the judges would have been necessary to make the compromise binding upon Mrs. Swinfen. Two of the judges, Justices Cresswell and Williams, thought that it was binding, and one, Mr. Justice Crowder, that it was not. Consequently, though the defendants have failed in making Mrs. Swinfen responsible for the agreement entered into by her counsel, the weight of authority would seem to be in their favour, and not in hers; and as the Common Law Procedure Act allows of appeals in such cases, there can be little doubt that the case cannot rest where it is, but will be carried before a higher tribunal.

The general principle involved in the case is not, we think, quite so broad, nor quite so easily applied, as it may seem to be at first sight; nor can we agree in the opinion that Mr. Justice Crowder's judgment exhausts the subject. As we understand his Lordship, his view of the question is that the relation between client and counsel consists in the abandonment by the former to the latter of the entire management of the case when it comes into Court—the compromise of the disputed claim being a matter for the sole consideration of the client, who must, if he wishes such a compromise to be effected, give special instructions to his counsel to effect it. When stated thus broadly, the principle no doubt seems reasonable enough; but when we look at it more minutely, it seems to fail to provide for the very state of things in which some rule is most wanted, and which actually arose in the case of *Swinfen v. Swinfen*. We do not pretend to say how the difficulties of the subject are to be dealt with; but we think it very desirable that their existence should be known more widely than it seems to be at present.

Every one practically acquainted with the ordinary course of the administration of justice must know that the confidence reposed by a client in his advocate is of a very peculiar and extensive kind. It is not a trust of such a nature that it can be given or withdrawn in a moment. Where there are a great mass of facts bearing on each other in very different ways, and susceptible of a great variety of interpretations, acquaintance with them makes the barrister not only convenient, but absolutely indispensable to his client at the moment of trial; and to attempt to transfer his brief to another person when the case is actually proceeding, is something like attempting to transfer a surgeon's instruments to some one else in the midst of an operation. The fact that he, and he only, is acquainted with the facts of the case, invests the barrister for the time with an authority over his client, analogous to that which is exercised by a physician over his patient; and the greater the difficulty of the case, the greater is the extent of this authority. This result follows from the very nature of things; and it is quite impossible that any legal or professional rules should alter it. Its bearing upon the power of the counsel to effect compromises is very direct and simple. Every one agrees that it is entirely the province of counsel to determine what witnesses shall be called, what questions shall be asked, what arguments shall be addressed to the judge or jury; but these functions frequently involve the power of compromising the case. Suppose, for example, all sides are agreed that an arrangement ought to be made between the parties. Pending the negotiation, a witness is produced on the part of the defendant, who undertakes to swear that the plaintiff's case is tainted with perjury or forgery. The defendant's counsel disbelieves and declines to call him. The defendant is anxious to have him called. The question of compromise or no compromise clearly depends on the question whether he is called or not; and that question, as all are agreed, is one for the counsel for the defendant. No doubt the defendant may, if he likes, take away his brief; but, as we have already observed, the power is one which in any case it would be most difficult, and in a complicated case totally impossible, to exercise. This may appear an unlikely occurrence, but it is one which, in one form or another, is constantly happening. Nothing is more usual than

for counsel to refuse to take this or that particular line in conducting a cause; and it is obvious that, by doing so, they constantly influence most materially the results to which their clients are ultimately conducted.

Besides this occasional and unavoidable power of influencing the issue of litigation in a direction opposed to the wishes of his client, there are instances in which the absence on the part of counsel of the power to accept terms offered to them would inflict great hardship. Suppose that the client is absent, and has given no special instructions, and suppose that during his absence circumstances come to the knowledge of counsel which convince them that, unless a compromise is effected, their client will lose his cause. It is difficult to imagine that the power of exercising a discretion in such a case is not included in the general confidence reposed by a client in his advocate. It is not a more extensive confidence than that which he actually does repose; and the very fact of his absence seems to confer additional authority on his representatives. This was the precise point which arose in *Swinfen v. Swinfen*. Sir F. Thesiger never claimed to control his client's wishes. He only acted in her absence as he presumed she would have acted if she had been present and aware of the real state of affairs. It does not follow that because a man is unwilling to accept 500*l.* out of a claim of 5000*l.*, when he considers his case clear, he would be unwilling to accept it if he learnt that the documents by which his title was proved had been lost or destroyed; and it is surely not a very extravagant thing to say that an advocate, who has an undoubted right to determine on the means by which a claim to the whole matter in dispute shall be made good, has some right to think that circumstances may occur which would authorize him to determine, in the absence of his client, whether the claim to a part should not be abandoned. It must be remembered that the changes and chances of a lawsuit are like those of a battle, and that a compromise may be gladly offered at one moment which may be indignantly refused an hour later. Unless, therefore, some one has authority on the part of the litigants to enter into such compromises, the parties to actions would have to be continually present in court in their own persons; for they could hardly foresee what might happen fully enough to be always able to give such special instructions as would meet every emergency.

We must guard ourselves against the imputation of being blind to the abuses which at present exist with regard to this matter. We are well aware that cases are often referred and compromised in a most unprincipled manner, and far more with reference to the convenience of the bench and bar than to the interests of the suitors. This is another branch of the question, and one which we hope may, at some time or other, be properly settled; but the extent of the legitimate authority of counsel is a subject of much delicacy and difficulty, and, as the law now allows an appeal in such cases as the present, we hope that its limits may be settled in a final and satisfactory manner.

#### THE ROYAL SOCIETY.

AT the last Meeting of this Society, a Paper was read by General Sabine.—On the existence of the Decennial Inequality in the Solar-diurnal Variations, and its non-existence in the Lunar-diurnal Variation of the Magnetic Declination at Hobarton.

In a report presented to the British Association in 1854, the author stated that, as far as his examination of the observations made at the British Colonial Observatories had then gone, he had found in the lunar-diurnal magnetic variation no trace of the decennial period which is so distinctly marked in all the variations connected with the sun. And in a subsequent communication made to the Royal Society in 1856, the conclusion arrived at was to the same effect—namely, that the observations at Toronto showed no appearance of the decennial period which constitutes so marked a feature in the solar-diurnal variations.

Since these statements were made, the author has read M. Kreil's memoir *On the Influence of the Moon on the Horizontal Component of the Magnetic Force*, and he learns that that writer is of opinion that the observations of different years at Milan and Prague, when combined, would rather favour the supposition that the same decennial period which exists in the solar variation affects also the lunar-magnetic influence. Although the method of examination pursued by M. Kreil, being less direct, might possibly be regarded as less satisfactory than that adopted by General Sabine, which led to the opposite conclusion, still the question is of so much manifest importance, that the author considered it desirable to re-examine the various data from which he drew his conclusions, and to check these by the aid of the Hobarton observations—which are particularly suitable for the purpose, inasmuch as they consist of eight consecutive years of hourly observations from January, 1841, to December, 1848, inclusive, with one and the same set of instruments, and with an uniform system of observation. The results of this examination have been decidedly confirmatory of the conclusion drawn from the Toronto observations, both as regards the existence of the decennial period in the two classes of solar-diurnal variation, and the non-existence of a similar decennial period in the case of the lunar-diurnal variation.

The observations at Hobarton comprise the most complete consecutive series of magnetic observations that have hitherto



been made. The *hourly* system was adopted there from the first commencement of the observatory. The aggregate number of the observations of the declination at Hobarton, which have been reduced at General Sabine's office at Woolwich, is 56,202. As the existence of a law of diurnal variation, regulating the occurrence of the disturbances of large amount, rests hitherto only on investigations made by General Sabine, he calls attention to the fact that each of the four portions into which the disturbances at Hobarton have been divided bears its testimony to the existence of this law, which may be accounted a general one, since it has been found to prevail at stations so widely distant from each other as Toronto, St. Helena, and Hobarton.

The author then proceeds to show the accordance of the two classes of the solar-diurnal phenomena at Hobarton with the decennial period, as it has been inferred from observations in other parts of the globe. He draws attention, in the first instance, to the disturbance variation, because it was from this branch of the phenomena that the decennial connexion between the solar-magnetic variations and those of the solar spots was first inferred; and because, on account of the labour which is required in the investigation, the periodical laws of the disturbances have hitherto been made out at no other observatories than those of the British Colonies. The author then gives a series of curves showing the extremes of easterly and westerly deflections, and observes—"By these it will be seen, if we estimate the variation in the mean effect of the disturbances in the course of the decennial period by the difference in their mean diurnal range in the respective periods 1843-1844 and 1847-1848, we should infer that their mean effect is at least twice as great in the year of maximum as in the year of minimum." It is probable that if either a higher or a lower arbitrary standard were taken as constituting a "large disturbance," the inequality between the years of maximum and minimum might be rendered somewhat greater or somewhat less; but still not materially so. Thus the result is of too decided a character for us to doubt the evidence it affords of a subsisting substantial difference between the years of maximum and minimum.

Curves are then given of the greatest easterly and westerly deflections with reference to direct solar-diurnal variation; and the author observes—"Here also, if we estimate the decennial variation by the difference in the range of the diurnal movement, we find 1843-1844 the years of minimum, and 1847-1848 those of maximum, although the inequality between the extremes is not so great as in the disturbance variation." This result is obtained from the eight years during which the observations were made hourly; but observations were also made at 2 P.M. and 6 P.M., with the same instruments. Making use of these, the author constructs a table, which affords a striking illustration of the systematic character of the decennial inequality; and, with the evidence previously adduced in reference to the mean diurnal effect of the greater magnetic disturbances in different years, shows that in both classes of solar-diurnal variation (*i.e.*, that of daily and constant and that of more occasional occurrence), the decennial inequality is as distinctly and decidedly marked in the Hobarton observations as it has been found to be elsewhere.

With respect to lunar-diurnal variation, the curves exhibit no appearance whatsoever of a systematic variation, corresponding to the decennial inequality of the solar-diurnal variations. There are in each curve four extremes, nearly equidistant from each other, two of which are easterly, and two westerly extremes. In both classes of the solar variations the years 1841, 1846, 1847, 1848, are the years of greatest range, and the years 1842, 1843, 1844, and 1845 those of least range. If the lunar results are united in one curve, in the four first-named years, and the two curves are compared, so far from finding in the lunar variation an inequality corresponding to that in the solar variation, the difference between the curves, such as it is, is in fact in the opposite direction.

## REVIEWS.

### THE NEW EDITION OF BACON.\*

THE first volume of the long-promised new edition of Bacon, chiefly under the care of Mr. Spedding, has made its appearance. Throughout it bears the marks of the most scrupulous patience, and the most thorough devotion to the labour which its editors had undertaken. For the first time an attempt has been made, by minds of competent strength, to understand and state Bacon's system in all its minute details, and to trace the real history of his life. Nothing can exceed the conscientiousness with which every page of the volume has evidently been elaborated. Sometimes, indeed, this conscientiousness seems almost morbid, so full and precise is the statement of the mode in which all that we find written by the editors came to be written, and the admeasurement of the exact proportion of responsibility that falls on each of the co-labourers. But it is a great thing, in an age of hasty writing, to have work done so thoroughly; and all Englishmen who are proud of the name of Bacon must be glad to see so handsome and complete an

edition of his works, and so conspicuous a tribute worthily paid to his memory.

A preface from the pen of Mr. Spedding describes the history and plan of this edition. It is, we are told, arranged by classing together Bacon's works with reference, not to subject, size, language, or form, but to the different classes of readers whose requirements he had in view when he composed them. Thus classified, they fall into three principal divisions. "First we have his works on philosophy and general literature, addressed to mankind at large, and meant to be intelligible to educated men of all generations. Secondly, we have his works on legal subjects, addressed to lawyers. Thirdly, we have letters, speeches, charges, tracts, state papers, and other writings of business, addressed to particular persons or bodies, and having reference to particular occasions." Of these three classes—the philosophical and literary, the professional, and the occasional—it was originally intended that the first should be confided to the sole care of Mr. Ellis, the second to Mr. Heath, and the last to Mr. Spedding. Before, however, Mr. Ellis had completed his portion of the task, he was seized with an illness which incapacitated him for further exertion. Ultimately he handed over his papers to Mr. Spedding, who has retained all that Mr. Ellis had written, but has supplied what he had left undone; and, when Mr. Spedding disagrees with his friend, he has stated the grounds of his disagreement in a foot-note. We cannot but respect the feeling which has prompted him to pay such scrupulous respect to everything which he found written by a friend struck down by so deplorable a calamity; but the effect is not pleasing, and it is certainly to be regretted that opinions and expressions which, as Mr. Ellis had no opportunity of revising them, we may venture to call crude, should have been preserved in what is intended, of course, to be the standard edition of Bacon. We can scarcely think the piety of friendship demanded such notes as that in which Mr. Spedding, referring to a portion of Mr. Ellis's text containing an allusion to a well-known passage of Plato, informs us that Mr. Ellis, in mentioning the author alluded to, had by mistake written the word "Aristotle" instead of "Plato" in his manuscript.

The chief interest of this new edition will centre round the portion taken under Mr. Spedding's especial care, and we will give in his own words the sketch of what he intends to do:—

In the third and last division of the entire works, according to the scheme already explained, every authentic writing and every intelligibly reported speech of Bacon's (not belonging to either of the other divisions) which can be found in print or in manuscript will be set forth at full length, each in its due chronological place; with an explanatory narrative running between, in which the reader will be supplied to the best of my skill and knowledge with all the information necessary to the right understanding of them. In doing this,—since the pieces in question are very numerous, and scattered with few and short intervals over the whole of Bacon's life—I shall have to enter very closely into all the particulars of it; so that this part when finished, will in fact contain a complete biography of the man,—a biography the most copious, the most minute, and by the very necessity of the case the fairest, that I can produce; for any material misinterpretation in the commentary will be at once confronted and corrected by the text. The new matter which I shall be able to produce is neither little nor unimportant; but more important than the new matter is the new aspect which (if I may judge of other minds by my own) will be imparted to the old matter by this manner of setting it forth. I have generally found that the history of an obscure transaction becomes clear as soon as the simple facts are set down in the order of their true dates; and most of the difficulties presented by Bacon's life will be found to disappear when these simple records of it are read in their natural sequence and in their true relation to the business of the time. By this means a great deal of controversy which would disturb and encumber the narrative, and help to keep alive the memory of much ignorant and superficial criticism which had better be forgotten, will I hope be avoided. And until this is done, I do not think it desirable to attempt a summary biography in the ordinary form. Such a biography may be easily added, if necessary, in a supplemental volume; but I am persuaded that the best which could be written now would be condemned afterwards as altogether unsatisfactory.

It is very clear, both from this passage and from hints dropped in other parts of this volume, that Mr. Spedding thinks that the common view of Bacon's history is a wrong one; and, without entering on any details, we may say that it was likely to contain a large admixture of error, because almost all modern writers, although acknowledging in vague terms that the age of the Tudors was an age of transition, yet really only look at it on its modern side. They have no knowledge of the manners, the habits of thought, or the social condition of the higher ranks of Englishmen during the reigns of the later Plantagenets and the early Tudors; and finding in the Elizabethan writers and statesmen much that seems almost to belong to the present time, they fail to apprehend the groundwork of difference that separates them from us. Mr. Spedding shows that he is able to take a wider and a juster view. The volume now published is the first of those containing the philosophical and literary works, and it is to be followed, at monthly intervals, by the remaining volumes belonging to the first part. The legal works will then follow; and, lastly, at an interval not yet decided on, Mr. Spedding's portion of the edition will be issued from the press. In this first volume we have a reprint of Dr. Rawling's short life of Bacon—a general preface to the philosophical works, by Mr. Ellis—the *Novum Organon*, with a preface giving an excellent analysis of its contents, almost entirely written by Mr. Ellis—and the *Parasceve* and *De Augmentis Scientiarum*, with prefaces by Mr. Spedding. In the general preface, Mr. Ellis has given a most able and accurate account of Bacon's method, and of his opinions on one or two subjects of philosophical inquiry, with respect to which it has been a matter of controversy what his opinions really were. Original in thought, profound in investi-

\* *The Works of Francis Bacon*. Collected and Edited by James Spedding, M.A., Robert Leslie Ellis, M.A., and Douglas Denon Heath, Vol. I. London: Longmans. 1857.

gation, and laboriously minute in statement, this preliminary essay has every merit but that of expression. It is very difficult to understand; and probably its obscurity is mainly owing to the fact that Mr. Ellis never had an opportunity of revising it. It is exactly the essay of a writer who has advanced to that stage of thought at which his ideas are clear to himself, though he cannot state them clearly to others. Every one who is accustomed to deal with subjects of a difficult kind knows that, except in the case of a few singularly gifted men, these are two distinct processes; and very often when a writer has attained what he thinks an adequate conception of his subject, and committed his thoughts to paper, on recurring six months afterwards to what he has written, he finds it poor and bald, or else unintelligible. The repose which his mind has enjoyed in the interval, and the power of judging which it has acquired by having been turned to other subjects, enables him to see what is wanting, without adding to the thoughts, to give them a shape which shall enable others to apprehend them. We cannot doubt that, if Mr. Ellis had read his essay a year after he had written it, he would have recast it, and that it would have gained greatly by the process.

Still, although the tone of the essay may be capable of improvement, it is not to be supposed that what Mr. Ellis means to say is left really doubtful; and his essay is in every way a most valuable contribution to the history of philosophy. And besides its completeness—evidently the fruit of a long comparison of Bacon's different writings—it has the merit of novelty. It points out, if not expressly, yet by implication, that Bacon's philosophical position was really much more transitional than is ordinarily supposed, and that, although his language, his aim, the subjects of his chief interest, and his practical results belong to the schools of modern philosophy, yet the machinery of his thought, the assumptions of his system, and its inherent errors belong to scholastic and mediæval times. This is, in philosophy, the counterpart of what Mr. Spedding will show in Bacon's personal history, and thus the whole edition will be bound together by a certain unity of tendency. We cannot, of course, do anything like justice to the mode in which Mr. Ellis exhibits Bacon's system, but we will attempt to borrow from him so much as may serve to show the general direction in which his essay proceeds.

He begins by pointing out the two great features of Bacon's method. Bacon aimed at inventing—or rather, perhaps, thought that he had invented—a process of induction which should, in the first place, lead to an absolute certainty of result, and, secondly, should be of so mechanical a character that all men should be capable of employing it. It was more especially because it possessed this mechanical character that Bacon so constantly, and so earnestly, claimed the merit of complete novelty for his system. It was to be an invaluable boon to mankind, because all men could use it—because, by its agency, ordinary intelligence and patience would suffice to unlock the secrets of Nature, and to turn her resources to the service of the human race. That such a mechanical system was possible, rested entirely on two assumptions—first, that each instance in which any given nature or abstract quality is presented to us “can be resolved into and mentally replaced by a congeries of elementary natures;” and, secondly, that we have a complete list of elementary natures, and know what they are. If this were so, we should only have to collect a sufficient number of instances in which the compound nature, the subject of our inquiry, presented itself—we should then go through the list of simple natures, admit all that were present in every instance, and reject all that were not—and the process would be complete. But the system fails—first, because we cannot reject any of these simple natures unless our notions of them are just and accurate, and for this purpose a subsidiary method is required, the object of which would be the formation of scientific conceptions; secondly, because the inductive process necessarily involves an element to which nothing corresponds in Bacon's method—namely, the application to the facts of observation of a principle of arrangement, an idea existing in the mind of the discoverer antecedently to the act of induction; and thirdly, because it involves the realistic supposition that ideas or conceptions reside in some way in the objects from which we derive them, that we can trace them there, and that our conceptions, once traced in the objects, can never vary. Bacon's whole system is, in fact, a realistic one, and labours, therefore, under the insuperable objection which must attach to every realistic system attempted by a being of so finite a capacity as man.

#### AMERICAN BOOKS OF ETIQUETTE.\*

MISS LESLIE, the authoress of *The Behaviour Book*, a *Manual for Ladies*, is a person of social standing and some literary reputation in her own country; and the *Behaviour Book*, which is well printed, and, for a modern American production, not ill written, probably ranks high among works of its class in the United States. The expediency of promulgating, for the use of ladies, such rules as the following, implies at least the possibility of their infraction—an implication which may sometimes seem startling to English readers, when they consider the

“surroundings” of the persons for whom Miss Leslie's volume is evidently meant. In our brief epitome of its contents, we follow the order of the book itself.

And first, in the matter of Visiting. A lady is not to go to the house of another lady, and stay there for several days, without an invitation. If the chambermaid is inattentive, the visitor should expostulate with her, and not with her mistress, lest the latter should “hint that your statement is incredible, and that no one ever complained before.” The visitor must not invite her friends to stay in the house, or order the carriage without the permission of the hostess. She must not let her “beaux” call too often, so as to occupy the drawing-room all the morning. She must not question servants about the family. Hostesses, on their parts, are not to allow their children to jump on the laps of visitors, and rout out their pockets, and ask for money—which proceedings, and others not less startling, Miss Leslie assures us that she has frequently witnessed unchecked by parental authority. Miss Leslie further recommends that, when a lady is expected on a visit, some preparation should be made for her reception. She—Miss Leslie—has often seen a visitor “first ushered into a dark entry, then shown into a dark parlour—there, after groping her way to a seat, obliged to wait till a hand lamp could be procured”—and then “finding on a neglected dressing-table a broken comb, an old brush, an empty pincushion, or (quite as probably) nothing at all; not to mention two or three children coming to stare at her.” Miss Leslie has seen “splendid establishments” in which spoons, forks, napkins, &c., are forgotten in the arrangement of the table; and indeed we are never permitted to attribute any of this lady's sad experience to a defect of exclusiveness in the character of the society she has moved in. A hostess, again, is not to have the hall lights extinguished, or the holland covers of the furniture put on, before her guests are gone, for “this is rude, because they cannot but take it as a hint that they have stayed too long.” At meal time, the family exercising hospitality, if they “are in the habit of eating fast,” must “check the rapidity of their own mastication” to suit that of their guest, who may eat more deliberately; “or rather,” says the authoress, apparently in deference to a notorious weakness of her compatriots, “let the family eat a little more.” Finally, the members of the family should not “slip out of the parlour one by one at a time, and steal away into the eating-room to avoid inviting the visitor to accompany them.” That this curious practice really prevails is to be inferred from Miss Leslie's further assurance that in such cases “the truth is always suspected by their separate exits, and the length of absence from the parlour, and is frequently betrayed by the rattle of china, and the pervading fumes of hot cake.”

Under the head of “Street-behaviour,” the lady is recommended not to talk loud enough to be overheard by the public, nor to call out across the road to other ladies, “which is very unladylike.” When people slip down, she is not to laugh at them; “for we know not how a lady can see anything diverting in so painful a circumstance—it is more feminine, on witnessing such a sight, to utter an involuntary scream.” Ladies frequenting places of public amusement are warned against arriving late, then pushing their way to the front, and staring at the unlucky gentlemen who are seated there until they are compelled to resign their places to escape the scrutiny. “It is a common and true complaint, made by the English,” says our authoress, though this is the first time we have heard of it, “that in the public Legislative Assemblies of the States, the American ladies do so force themselves forward, and eject from their places gentlemen to whom it is of the utmost importance to hear what is going on.” Miss Leslie assures us, indeed, that in this way the fair intruders invade even the Senate-house, and eject the Senators. She approves of the English custom of excluding ladies from the body of the Houses of Parliament, and suggests, as a probable reason, the fear of the above inconvenience, and the danger of their interrupting the debates by “whispering half the time, about some nonsense of their own, having gone in the hope of getting up a chance flirtation with some of the gallant members.”

At hotels, ladies must not help themselves with their own knives and forks, nor use the knife with which they are eating, for butter and salt, because “it looks as if you had not been accustomed to butter-knives and salt-spoons.” A lady should not go down to the public hotel breakfast in full dress, or with flowers in her hair. She must not pull the hotel bells so violently as to break them—a practice so common, it seems, among the ladies of the United States, that cautions to this effect are usually pasted beside the bell-ropes. It appears that “charming, modest, and refined young ladies” in America, are in the habit of changing their demeanour on the appearance of a “beau,” and of immediately “becoming bold, forward, noisy, and nonsensical, chattering at the top of their voices, and keeping up a continual laugh about nothing.” This is to be eschewed. A lady in her hotel conversation should not call a siesta a “snooze,” pantaloons “pants,” gentlemen “gents,” nor a man in a worn coat “seedy.” At the hotel dinner, she is not to have her arms and neck bare, nor to sport a profusion of “palpably false” diamonds. She must not push for a place near the top of the table, “for at hotels, all places are alike, and she will be disappointed if she hopes to get the nicest dishes there.” She is not to lean her elbows on the table, or laugh and talk boisterously loud. “Young ladies truly genteel are never conspicuously noisy at a public table.” She must abstain on these occasions from whispers and

\* *The Behaviour Book: a Manual for Ladies.* By Miss Leslie. Philadelphia.

*Woman in her various Relations.* By Mrs. L. G. Abell. New York.



significant glances; and "joggings, nudgings, pinchings, sleeve-pullings, &c.," are to be avoided, "especially when the eye of the jogger is fixed upon the object of the jog." She must not lift a cover and help herself before the covers are removed by the waiters, and the rest of the company begin. She must not, when engaged in talking, hold her fork "bolt upright." She is again cautioned to "keep her own spoon, knife and fork out of the dishes. . . . No lady looks worse than when knowing a bone: nothing should be gnawed or sucked in public." Melon must not be nibbled from the rind, nor nuts cracked with the teeth; nor will a "truly genteel" young woman spit out cherry and plum stones, without veiling the process. Should strangers sitting near be seen to partake of an indigestible dish, the lady must not "open her eyes and hold up her hands, and exclaim against their folly and want of self-control, and predict their certain sufferings." Nor should she, if asked to partake of anything that disagrees with her, state her reason for refusing, as "the word 'stomach' should never be uttered at any table—it is a disagreeable word, and so are all its associations." She should not pick her teeth at table. It is not a commendable practice to "pull a dish of stewed oysters to her, and with a table-spoon fish out the oysters, and eat them one at a time, audibly sipping up their liquor from the same dish"—a thing which Miss Leslie has seen done by a young lady at a "very fashionable table." Nor should soup be drunk, or "lapped up" from the soup plate, without the aid of a spoon. A lady ought not, "even with the attraction of a beau drinking his wine beside her," to "outstay all the company with the pretext of being passionately fond of nuts;" nor ought she "to remain long in the drawing-room, talking to a gentleman, after all the rest have retired for the night." Our readers will observe that the above rules constitute a portion of the formalities of American hotel-life. Possibly, therefore, Miss Leslie's code of etiquette for the cases in point would admit of considerable relaxation in the ease and freedom of private society.

Among a similar list of directions for a lady's conduct on ship-board, Miss Leslie's caution against inextinguishable laughter at persons who fall down, is repeated; and a lady while travelling is recommended to wash her face every day. Concerning the behaviour of American ladies to gentlemen, Miss Leslie makes one statement, which we give at full, because it may nearly concern Englishmen "intending to travel" in the United States. Young ladies seem to be in the habit, not only of accepting, but also of seeking, costly presents from gentlemen at large. Miss Leslie has known ladies "so rapacious and mean that they are not ashamed to give broad hints to gentlemen regarding certain beautiful card-cases, bracelets, essence-bottles, &c., which they have seen and admired—even going so far as to fall in love with elegant shawls, scarfs, splendid fans, and embroidered handkerchiefs. And their admiration is so violent and reiterated that the gentleman knows not how to resist."

A lady must not publicly indulge in such violent fits of passion as "to turn white with rage, rolling up her eyes, drawing in her lips, gritting her teeth, clenching her hands, and stamping her feet." Miss Leslie thinks this caution less necessary than some of the foregoing, since she has only seen "a few females" in this state, "and only three of them were ladies." It is not genteel, we are told, for a young lady, after listening to some serious and affecting narrative, to endeavour to make fun, by exclaiming, "Quite solemnly;" or, "We're all getting into doldrums." In Miss Leslie's chapter on incorrect words, we are informed that women who are "really ladies," are apt to use reprehensible phrases, as "this here," "them there," "them boys," "I hadn't ought," and many others equally odd to an English ear. Among peculiarities of pronunciation unadvisedly adopted by "real ladies," the authoress more particularly deprecates "doos," for "does;" "pint," "jint," and "ainit," for "point;" "joint," and "anoit;" "featur," "creatur," "natur," and "raptur," for "feature;" "creature," "nature," and "rapture." "Ugly" should not be used for "bad," nor "admire to hear" for "like to hear;" "live to" for "live at;" "cunning" for "pretty;" "great big" for "large." When a lady's collar or bonnet is put on awry, she should not say it is "put on drunk;" when disconcerted, she should not declare that she is "floored;" nor, when submitting to do a thing unwillingly, that she is "brought to the scratch." A fine singer should not be described as "singing like a beast." Miss Leslie tells us that young ladies have sometimes a habit of "biting their fingers, especially if they are pretty;" and that they are farther and more inexplicably addicted to biting fans and books to pieces. "We have seen," writes the authoress, "the corners of an elegant annual nearly bitten off, at a centre-table, in one evening."

In a chapter on Decorum in Church, we are told that it is common for a lady, on entering a strange church, "to walk boldly up the middle aisle, to one of the best pews near the pulpit, and pertinaciously stand there, looking steadfastly at its rightful occupants, till one of them quits his own seat, and gives it to her, getting another for himself where he can." During the service, a lady should not laugh and talk in "more than whispers" to the "beaux" she has brought with her. Similar directions as to conduct in church are given by Mrs. Abell, who further recommends the American lady not to read a book in church, "nor a newspaper." "It also looks bad, at such times, to see notes written and passed about." We have also a batch of miscellaneous

directions against biting your nails—putting your arm about the neck of another young girl, or promenading the room with arms encircling waists—holding the hand of a friend all the time she sits beside you, or kissing or fondling her before company—slapping a gentleman with your handkerchief, or tapping him with your fan—allowing him to take a ring off your finger to look at it—permitting him to unclasp your bracelet, or, still worse, to inspect your brooch—pulling at your own ringlets—suffering a gentleman to touch your curls—listening at door-cracks and peeping through keyholes—standing on one foot, and with the other kicking up the dress behind, while talking to a gentleman—"turning and waving about with body, head, and eyes"—a practice which Miss Leslie tells us originated in the national admiration and imitation of the graces of Fanny Ellsler, and is called "squirring."

From Mrs. Abell's work, called *Woman in her various Relations*, we will extract only one passage, in order to do Miss Leslie the justice of proving that she is not singular in her estimate of the kind of instruction for which there is demand in the American market. Mrs. Abell cautions "woman" against "using slang expressions;" the habit of saying "says he," &c.; "helping yourself at meals without asking others to be helped; scratching or touching your head; paring or cleaning your nails before company; picking your nose, or looking at your handkerchief after blowing it; standing or sitting with your back to the fire; spitting on the carpet; whistling or humming tunes; rocking eagerly; showing yourself glad at another's misfortune."

It appears from Miss Leslie's *Behaviour Book* that authoresses themselves, apart from their books, constitute no inconsiderable element of Transatlantic civilization. Of the twenty chapters or so which form Miss Leslie's *Lady's Manual*, one is entirely devoted to the rules of politeness to be observed with regard to literary women. On being introduced to an authoress, a lady should not enter immediately upon personal topics, asking the secrets of her writings, the sources of her plots, the originals of her characters, volunteering criticism, inquiring "How much did you get for that?" and "How much are you to have for that?" and "How much do you make in the course of the year?" and "How much do you get a page?" and "How many pages do you write in the course of the day?" Nor should she, on receiving replies to such questions, exclaim, "Why, really, you must be coming money! There can't be a better trade!" Nor should a lady, when in the society of an authoress, laugh at "blues," or testify surprise should an authoress display an ordinary knowledge of needlework, or ability to talk on any subject besides literature. On calling upon an authoress, if the writing table appears confused, the visitor should abstain from the joke "common upon such occasions—'why, you look quite literary.'" If two authoresses are present in one room, the ordinary custom of "pitting them against each other," is to be eschewed. In directing a letter to a literary lady, the word "authoress," should not be appended to her name, &c. &c. The rules, however, are much less remarkable than the fact of so much space being thus dedicated in this "Whole Duty of Woman." The singular predominance of the "littery" element in American civilization is further illustrated by Miss Leslie's having thought it necessary to devote another entire chapter of her twenty, to advice to authoresses, who are warned—not unnecessarily, if we may judge by the novels of "Elizabeth Wetherall" and some other American ladies—that "in a work of fiction, it is shocking to have Lords and Ladies, or the noble and dignified hero and elegant and refined heroine, conversing in bad grammar."

#### THE ENCYCLOPEDIA BRITANNICA.\*

THE *Encyclopedia Britannica* appears to be the most popular book of its kind in our language. It has reached an eighth edition; and, in the course of its progress, has received the care of successive writers and sub-editors. It displays an imposing array of eminent contributors. It is often spoken of as a "national work"—an epithet somewhat vague (not to say unintelligible), yet which would seem to mean, among other things, that the whole British nation ought to take an interest in it, and that all who want such a book, and can afford the very reasonable price which is charged for it, ought to buy it.

But, with the best wishes for the success of the new edition, we feel bound to point out some of the imperfections which have struck us in hastily casting our eyes over its pages. With the longer articles we have not meddled—the names of the writers are, for the most part, a sufficient guarantee for their goodness. But while it is, no doubt, on the long essays, more especially on those which treat of scientific subjects, that the character of the *Encyclopedia* mainly rests, there must, we imagine, be a large class of subscribers who are not likely ever to plunge into the depths of science, but who frequently wish for such information as the shorter articles profess to supply. It may be easy to say that these subscribers are a very inferior set of persons, yet we conceive that their claims on the proprietors are peculiarly strong. If a man buys an expensive *Dictionary of Arts, Sciences, and General Literature*, of which three-fourths are useless to him, for the sake of the remaining

\* The *Encyclopedia Britannica*. Vols. XI. and XII. Edinburgh: Black. 1856.

quarter, he is surely entitled to expect that that quarter shall be as good as possible. This, however, is by no means the case in the new edition of the *Encyclopædia*. The later volumes are, indeed, much less faulty in the department of "General Literature" than the earlier; but, judging by our own experience, we imagine that even in those which have been last published—the eleventh and twelfth—any one who may read the shorter articles on subjects with which he is in some degree acquainted, will find reason to distrust the authority of the encyclopædists in matters which are beyond his own knowledge. Let us then, with the works of Dean Milman and of some other writers on ecclesiastical history and biography fresh in our minds, take by way of specimen the articles on such subjects which are contained in these ten volumes, and see how far the authors are competent to enlighten the readers of the *Encyclopædia*. Near the beginning of vol. xi. (which reaches from "Granville" to "Humboldt"), we come on an account of the Greek Church, by W. M. Hetherington, D.D., LL.D. This double (or rather triple) Doctor writes with the authoritative air which becomes one versed alike in theology, civil law, and canon law; but, setting his doctorship aside, we must plainly say that he has an unusual faculty of blundering. For instance, he tells us that—

The Bishop of Constantinople . . . greatly absorbed the influence of the elder metropolitans of Jerusalem, Antioch, and Alexandria.

It so happens that Jerusalem was not a metropolitan see until it was raised into a patriarchate at the Council of Chalcedon, long after the rise of Constantinople; and when made a patriarchate, it was not the *first*, but the *last* of all. Again:—

The Council of Chalcedon conferred on the Bishop of Constantinople the same honours and privileges which were already possessed by the Bishop of Rome.

The first Council of Constantinople, seventy years earlier, had bestowed new honours, which that of Chalcedon confirmed. Further, the quarrel about the time of Easter, in the days of Victor I., is spoken of as if all the East had been united in opposition to Rome; whereas the opposition was really confined to a part of Asia Minor.

Again, it is said that the Emperor Phocas gave Boniface III. the title of "Universal Bishop"—a statement which has long been questioned or denied by the best authorities. Dr. Hetherington refers the first insertion of *Filioque* in the Nicene Creed to the Council of Toledo in 447; whereas the date ought to be 589. In connexion with the same subject, he wrongly represents Pope Leo III. as having attended the Council of Aix in 809. We are told that the Patriarch Ignatius was deposed "to make room for Photius"—whereas it is well known that the motives for his deposition were altogether independent of Photius. The quarrel between Rome and Constantinople in the eleventh century is represented as having originated in Roman aggression; whereas the first blow was unquestionably struck by the Patriarch of Constantinople. And the Pope is represented as having excommunicated the Patriarch before sending a legation to treat with him; whereas the only excommunication in the case was that pronounced by the Legates at Constantinople. Further, we read—

About the year 1723 there was a proposal made by certain Anglican bishops respecting the possibility of union with the Greek Church.

Dr. Hetherington would have more correctly represented the state of his own knowledge, if, for "certain," he had written "uncertain." We need not tell the reader that the bishops in question were Nonjurors, and belonged to the most extreme section among that unfortunate party. Moreover, their negotiations with the Greek Church were opened in 1716, or the following year, and appear to have come to an end before 1723.

There are other mistakes in plenty, if we had space fully to examine Dr. Hetherington's essay; but let us go on to the account of the Popes who have borne the name of Gregory. Of Gregory I. we are told that "in Lombardy, he crushed the remains of Arianism." This very much exaggerates his success in that quarter, where Arianism survived him for a considerable number of years. "In Spain, he effected the conversion of the Monarch." This was effected *before* Gregory's pontificate. It is also argued that Gregory cannot have destroyed "the monuments of ancient Roman art," because "he is known to have reprehended Serenus, Bishop of Marseilles, for having given over the images in his church to the iconoclasts." The fact is, Gregory reproved Serenus for being himself an iconoclast; and, without believing that the Pope broke *heathen* images, we may remark that his unwillingness to see *Christian* images broken is no disproof of the charge.

Of the second and third Gregories it is only said that they "became involved in unprofitable broils with the Lombards." Surely their differences with the eastern Emperors on the subject of images were more deserving of notice, inasmuch as they led to the withdrawal of Italy from the Empire. Gregory VII. is, by an antiquated mistake, said to have been *Prior* of Cluny. Leo IX. is said to have made him a "Cardinal Sub-deacon" of Rome. For "Sub-deacon" read "Arch-deacon;" but it is uncertain by what Pope the preferment was bestowed. Gregory's dealings with Henry IV. are misrepresented; and it is said that the Emperor, in the *first* year of his siege of Rome, was disturbed by Robert Guiscard, who did not really take any active steps in favour of the Pope until three years later. Finally, we are told that "the *last* of the name, Gregory XV., died in 1623." How can the editor, in this newspaper-reading

age, have contrived to preserve the ignorance necessary for allowing this statement, which must have become untrue before the appearance of the seventh edition, to keep its place in the eighth? Gregory of Nazianzum fares better than his Roman namesakes, being treated by Dr. Tulloch, of St. Andrew's; but even here the naked eye discovers some small inaccuracies and omissions—such as the statement that Gregory "allowed himself to be nominated Bishop of Sosima," whereas the appointment was actually forced on him—and the description of Mr. Coxe's translation of Ullmann, as if it extended to the whole work, whereas it omits the dogmatical portion. Of Gregory Thaumaturgus we are told that his "Christian name was Theodorus"—that having really been the name which he bore *before* becoming a Christian.

Bishop Hacket's writings, we are informed, "are now forgotten," and the same statement is often made as to the works of other authors, especially of Anglican divines. Such an assertion, where it is true, is superfluous, inasmuch as oblivion speaks for itself; and the information which we need as to a forgotten book is, not that it *is* forgotten, but that it was once popular, or that it ever existed. Moreover, it is unwise to speak of a book as if it were dead and buried for ever, since that which is at one time forgotten may possibly be revived—as has been the case with Hiekes's works, which, since they were first described in the *Encyclopædia* as "sinking into oblivion," have been again read, and in part reprinted, in consequence of the "Tractarian" movement. And, further, what is meant by "forgotten?" Does it mean only that a book is no longer in demand among the readers of the circulating library? This, we suppose, may be said of most works which have been any considerable time before the world. But it seems to us that a book cannot be fairly spoken of as forgotten, which, although it may no longer find many readers, is generally known to contain valuable matter, and is consulted by all students of the subject to which it relates. Such is the case with Hacket's *Life of Williams*, which—although Johnson may not have been wholly wrong in saying that it "is written with such depravity of genius, such mixture of the fop and pedant, as has not often appeared"—is unquestionably one of the necessary sources for the history of Charles the First's time. And the same may be said of other books which our encyclopædists have described in the same or similar terms.

This leads us to observe that the reader must not look to the *Encyclopædia* for information as to recent bibliography. Thus the last edition of Bishop Hall is said to be that by Pratt, whereas one has been since published by the late Mr. Peter Hall. Of Hammond's *Annotations*, it is said that they "have long since lost any value they may at one time have had"—a *dictum* which is at least not believed by the delegates of the Oxford Press, who have lately reprinted the book; and the translation and additions by Le Clerc might also have properly been mentioned. There is no notice of the late edition of Hemingford by the English Historical Society, nor of Mr. Blakesley's *Herodotus*, nor of Sir W. Molesworth's *Hobbes*, nor of Mr. Keble's *Hooker*, nor of Stieven's *Irenæus*, nor of the two late editions of Jewel by Dr. Jelf and Mr. Ayre.

But it is not only in the matter of editions that the information is defective. The article on Heylin does not name the work by which he was best known in his own time—his folio *Cosmography*; nor the only one of his voluminous writings which has lately found an editor—the *History of the Reformation*. The article on "Anastasius" Hope says nothing of his well-known and valuable *History of Architecture*. And in the account of George Herbert we are told that "the purport of his *Priest to the Temple* is quite similar to that of the *Country Parson*." This article is probably by the same gentleman who, in an earlier volume, informed the world that "the success of" Frere's *Whistlecraft* led to another work in the same vein, *The Monks and the Giants*. There is, we need hardly say, in each case, the mistake of describing a book with a double title as two distinct books; and there is also the imposture of professing an acquaintance with the contents of them. Having mentioned Mr. Frere's name, we may add that, neither in the article on him, nor in that on Aristophanes, is there any notice of his incomparable translations from the great Athenian humorist.

But let us return to the articles "On Church History." Of Heylin we are told that—

After the restoration he was for a time utterly neglected by the party in whose service he had now lost his all; and it was only a few months before his death that his services were shabbily requited with the sub-deanery of Westminster.

The truth is that, at the Restoration, he recovered his prebend of Westminster and his other preferments, the sub-deanery being in the gift, not of the Crown, but of the chapter. The appearance of his smaller *Geography* is misdated; and D'Israeli's account of the quarrel between his biographers is cited without any suspicion of its incorrectness.

The twelfth volume contains but few articles of the class which we are surveying, but those few have their full share of blunders. The account of the "Iconoclasts" is very defective. From the article on Ingulphus it would naturally be inferred that, as the *History of Croyland* ascribed to him is spurious, the man himself was fabulous; whereas, for the chief points of his biography, we have the testimony of his contemporary Orderic.



The pontificate of Innocent I. is said to have reached from A.D. 402 to 517—the real dates being 402 and 417. In the article on Innocent III., Hunter's elaborate history of that pope is not mentioned. The article on Investiture has no notice of the great contest between the papacy and the empire on the subject. The interdict said to have been pronounced against France by Gregory V. is mentioned as if it were not notoriously fabulous. The forgery of the "Decretals" is ascribed to Isidore Mercator, or Neutor, a monk of the eighth century; whereas the name of Isidore was only assumed by the forger, who executed his work in the middle of the ninth century, and is not supposed to have been a monk. The account of St. Jerome, besides small instances of incorrectness, gives no idea of that "unclubbable" personage's character; and the name of his editor, Vallarsi, is misspelt. The notice of Pope Joan, which is interpolated in some editions of *Maximus Scotus*, is cited without any suspicion of its genuineness; and in the same article Bayle is called Bayley; while Sergius III., who held the papacy from 904 to 911, is spoken of as later than John X., who became pope in 914.

We do not wish to exaggerate the importance of these inaccuracies and defects, but we are entitled to say that in a work of such pretensions they ought not to exist. We must, too, remark that the Scotch prejudices and partialities which are displayed throughout the *Encyclopædia*—in a degree very inconsistent with its title of *Britannica*—find especial vent in the ecclesiastical articles, both as to the selection and as to the treatment of subjects. Undue favour is shown not only to Scotch Presbyterians, but to their English Nonconformist allies. Of the Anglican divines mentioned in vol. xi., the only one who receives anything like a hearty appreciation is the Calvinist Bishop Hopkins. Hooker has not a fifth of the space which is given to Robert Hall. Jackson is unnoticed, while his namesakes, the musician and the portrait-painter, are duly commemorated; and the Edinburgh Walthalla finds an honourable place for the late dissenting minister, Mr. Jay. This may or may not be a just ground of complaint; but, even if we are bound to submit to the prejudices of Presbyterian writers, we may reasonably object to their ignorance.

#### HEINE'S PICTURES OF TRAVEL.\*

THE first impression which Mr. Leland's translation of the *Reisebilder* made upon us was not a favourable one. The four little volumes of the original, widely and well printed, each light in the hand—books such as may be put in the pocket and read among the trees, or perhaps, more appropriately under the shade of a great rock on the seashore—are now presented to us compressed into one. The four little volumes looked inviting, as if they said, "Come, dip into us." The one volume, sadly bound in cloth, looked severe, as if it said, "Come and try to master me." When we accepted this challenge our views were not materially altered. Mr. Leland is, no doubt, an excellent, nay, an admirable German scholar. He knows that most difficult language in its heights and depths, from its poets and philosophers down to the student's slang dictionary. He has also a very sufficient command of English; but he has undertaken a work in which not he only, but every one, must fail. In the first place, we altogether differ from him as to the expediency of translating the *Reisebilder* *en masse*. Thirty years have now passed away since they first delighted Germany. Many of their innumerable hits at things then existing fall now on the ear without any effect, and their beauties are just the part of them which it is almost impossible to reproduce. Who can describe a perfume or paint a sound? The words of a foreign tongue are just as powerless to convey to a reader unacquainted with German the charm of Heine's poetry.

The *Pictures of Travel* are divided into nine parts. The first, called the *Homeward Journey*, is entirely in verse. Some of Heine's most popular poems are contained in it, as "Du schönes Fischermädchen"—unaccountably translated by Mr. Leland "Thou gentle ferry-maiden"—and "Das Meer erglänzte weit hinaus." It would be absurd to blame Mr. Leland for not giving a perfect version of such a poem as this last, but he surely might have made a nearer approach to perfection than this:—

The ocean shimmered far around,  
As the last sun-rays shone—  
We sat beside the fisher's hut,  
Silent and all alone.  
The mist swam up, the water heaved,  
The sea-mew round us screamed;  
And from thy dark eyes full of love  
The scalding tear-drops streamed.  
I saw them fall upon thy hand,  
Upon my knee I sank;  
And from that white and yielding hand  
The glittering tears I drank.  
And since that hour I waste away,  
'Mid passion's hopes and fears;  
Oh, weeping girl! oh, weary heart!  
Thou'rt poisoned with her tears!

Now the first thing that strikes a reader of Mr. Leland's translation is that it wholly fails to make any impression upon

him. We might read a hundred such poems, and not recollect one line, or recognise them when we met with them again. Who, having once read, could forget the original? Again, the words which we have put in italics all weaken the force of Heine's thought. Why *dark eyes*, and why *scalding* and *glittering* tears, or *yielding* hand? Such amplifications are as water unto wine. As for the last verse let our readers judge between its concentrated intensity of passion and the commonplace of Mr. Leland's rendering:—

Seit jener Stunde verzehrt sich mein Leib,  
Die Seele stirbt vor Sehnen;  
Mich hat das unglücksel'ge Weib,  
Vergiftet mit ihren Thränen.

We may be hypercritical, but we do not see why the "Fischerhaus" should cease in Mr. Leland's version to be a "lonely" one; and we confess we prefer Heine's Mōwe, which "flog him und wieder," to Mr. Leland's, which only screamed.

The second part of the *Reisebilder* is the Hartz journey. It is partly in verse and partly in prose. The poet goes forth from Göttingen, not without maledictions on that learned city, which "pleases most when looked at backwards," and where one school-boy says to another, "I don't intend to keep company any more with Theodore, he is a low little blackguard, for yesterday he didn't even know the genitive of *Mensa*." Thence he wanders up into the mountains, meeting with all sorts of adventures by the way. He falls in with a traveller dressed wholly in green, who asks what may be the best hotel in Göttingen. "Oh! the Hotel de Brübach," he replies—the slang name for the University prison. He overtakes a wandering journeyman from Brunswick, a tailor, thin as one of Ossian's ghosts, and overflowing with sentiment, who sang songs and told how it was believed in Brunswick that the young Duke had been carried off on his travels by the Turks. He came to Göttingen with its pavement "rugged as Berlin hexameters," and saw a ghost who cited from Kant's *Kritik* the distinction between phenomena and noumena. Then he met a lady and her daughter and talked of "Angora cats, Etruscan vases, Turkish shawls, macaroni and Lord Byron," and saw the sunrise from the Brocken, and followed the Ilse, whose source he beautifully describes, down its green and smiling valley. In short, the whole is a strange farrago of mirth and melancholy, sneers and enthusiasm, full of allusions to passing events and to persons. Altogether, it reads rather drearily in this year 1857, and is only to be recommended in small doses at a time.

In the next series of poems, the "North Sea," Mr. Leland has not had to contend with the difficulty of rhyme. We cannot understand why he should have gone out of his way constantly to alter the meaning of the original—slightly, it is true, but surely needlessly. Thus in the famous "Seegespenst," in which Heine builds up the most exquisite picture of an old Netherlandish city sunk, like Stavoren, under the sea, only to destroy the impression which he has created by a Mephistophelic touch at the end of the poem, there occur these lines:—

Ich aber lag am Rande des Schiffes,  
Und schaute, träumenden Auges.

which Mr. Leland translates:—

But I still leaned on the edge of the vessel,  
Gazing with sad-dreaming glances.

Why "still?"—why "leaned?"—why "sad?"

Again, Heine writes:—

Und ich kenne dich armes, vergessenes Kind!

Mr. Leland translates:—

And I know thee, thou poor and long-suffering child!

We might multiply such examples. It is just possible he may have translated from a different edition of the *Reisebilder*. If so, for the credit of his accuracy, he should state on his title-page what edition he has used. The one to which we have referred while making the above remarks is the third, published by Hoffmann and Campe in 1840.

The fourth part of the *Pictures of Travel*, written in the island Norderney, in the German Ocean, is to our taste particularly charming. We recommend to any of our readers who may not know him, to make the acquaintance of the little Klabotermann, or to read Heine's reasons for disliking shooting. Here is a characteristic passage, well translated:—

There is an altogether peculiar charm in excursions around the island. But the weather must be fair, the clouds must assume strange forms, we must lie on our backs, gazing into Heaven—and at the same time have a piece of Heaven in our hearts. Then the waves will murmur all manner of strange things, all manner of words in which sweet memories flutter, all manner of names which, like sweet associations, re-echo in the soul—"Evelina." Then ships come sailing by, and we greet them as if we could see them again every day. But at night there is something uncanny and mysterious in thus meeting strange ships at sea; and we imagine that our best friends, whom we have not seen for years, sail silently by, and that we are losing them for ever.

This division is followed by a number of epigrams, always most difficult to render in a foreign tongue, and, in this case, of no extraordinary merit:—

Wär ich Dschingischah, O China, wärest du längst von mir zernichtet  
Dein verdammtes Theeplättchen hat uns langsam hingerichtet.

Were I a Ghenghis-Khan, Oh China, long in dust hadst thou been lying:  
From thy cursed tea came parties, and of them I slowly dying.

In Mr. Leland's translation of the "New Spring," we have shortcomings exactly similar to those which we have already noticed. He never quite gives us Heine, not so much from

\* *Pictures of Travel*. Translated from the German of Henry Heine. By Charles G. Leland. Philadelphia: John Weik. London: Trübner and Co.

any fault of his, as because he has attempted an impossibility. These exquisite little poems are peculiarly and extraordinarily difficult to render. The amount of thought in each is infinitesimal. Their charm is so subtle as to defy analysis, and in the rough hand of a translator it escapes.

*Book le Grand* takes its name from Le Grand, an old French soldier, who is celebrated in it. It is one of the strangest and most striking of all the divisions of this work, full of the maddest fun, interspersed with passages of great beauty. The following is a good example of Heine's graver style, well rendered by the translator:—

The Emperor sat carelessly, almost lazily, holding with one hand his rein, and with the other good-naturedly patting the neck of the horse. It was a sunny marble hand, a mighty hand—one of the pair which bound fast the many-headed monster of anarchy, and reduced to order the war of races—and it good-naturedly patted the neck of the horse. Even the face had that hue which we find in the marble Greek and Roman busts, the traits were as nobly proportioned as in the antiques, and on that countenance was plainly written, "Thou shalt have no Gods before me!" A smile, which warmed and tranquillized every heart, flitted over the lips; and yet all knew that those lips needed but to whistle—*et la Prusse n'existait plus*—those lips needed but to whistle, and the entire clergy would have stopped their ringing and singing—those lips needed but to whistle, and the entire holy Roman realm would have danced.

This is in his merrier vein:—

In the arched way of the Franciscan cloister near our school-room, there hung a large Christ-crucified of grey wood, a dismal image, that even yet at times rises in my dreams and gazes sorrowfully on me with fixed bleeding eyes; before this image I often stood and prayed, "Oh, thou poor and also tormented God, I pray thee, if it be possible, that I may get by heart the irregular verbs!"

The next book describes Heine's travels from Munich to Genoa, through the Tyrol, past Trent, Verona, and the Field of Marengo—travels which are not, like most of his, constructed on the principle that the less you say about the country through which you pass the better. They are in prose, and they everywhere bring, after their author's usual fashion, beauty face to face with scuffling merriment.

"The Baths of Lucca," and the "City of Lucca," are like the preceding section, in prose, and here Mr. Leland succeeds admirably. We can make acquaintance very well in his translation with the capricious Matilda, with Letitia, the faded beauty, and Francesca the figurante—with Christian Gumpel, the little Jew banker, who, having made his fortune, has turned Catholic, and become the Marquis of Gumpellino. Even the humours of Hirsch, *ci-devant* lottery agent at Hamburg, but now *chasseur* to the Marquis, read very nicely in their English garb. Here is one of the unexpected hits in which Heine so much delighted:—

Thibaut, whom the Italians call Tibaldo, is also much honoured in Italy, though his writings are not so much known there as his principal opinions and their objections. I found that only the names of Gans and Savigny were familiar to the Professor, who was under the impression that the latter was a learned lady.

"Ah, indeed!" he remarked, as I corrected this very pardonable error; "really, no lady! I have been erroneously informed. Why, I was even told that once, at a ball, Signor Gans invited this lady to dance, but met with a refusal—and that from this originated a literary enmity."

"You have really been misinformed. Signor Gans does not dance, and for the philanthropic reason that he might cause an earthquake should he do so. The invitation to dance, of which you speak, is probably an allegory misunderstood."

In the "City of Lucca" occurs the wonderful account of the Roman Catholic procession, which ends with comparing polemics to the quarrelling of the sick in the hospital at Cracow; and the not less wonderful "Gods of Greece," after Heine's manner:—"And he cast the cross on the high table of the gods, so that the golden goblets tumbled and fell, and the gods grew dumb and pale, and even paler, till they melted in utter mist." The sketches of England are, considering the time when they were published, wonderfully correct; but they seem very strange now. The bitterness against Wellington, the laudation of "the god-like Canning!" and, above all, the sentimentalities about the Old Bailey, "poor Black William" and Edward Thompson, and the rose on the judges' table, read like a bad dream.

On the whole, reserving our opinion as to the previous question, whether it was desirable to translate all the *Reisebilder*, we may say that Mr. Leland seems to have performed his task as well as any one whose taste would lead him to undertake such a work is likely to perform it. We wish some one would write for the English public a biography of Heine, somewhat on the plan of Mr. Carlyle's *Life of Schiller*, translating the more remarkable passages of his prose, and quoting, in the original, such of his poems as are so ethereal in their character as to defy translation.

#### CHRISTIANITY AND HINDUISM.\*

WHAT strange hallucination can have induced the anonymous author of this book to fire off such a cannonade of Oriental polemics in England? Why does he not devote himself to more appropriate enterprises? Why does he not denounce Fetichism at Spitzbergen, or crush Puseyism in the Mountains of the Moon? An elaborate refutation of Hinduism will be about as useful here as a pamphlet on Church-rates would be at Lucknow. We have sects enough to satisfy the most ardent

admirers of private judgment; but no Exeter Hall has as yet risen to assert the principle of "the Vedas, and the Vedas alone." No London dowager, that we have heard of, has shown the slightest symptom of a tendency to Suttee. The Thugs are the only Indian sect whose proselytism we have any cause to fear. The author, from the date of his dedication, appears to live at Lampeter; and perhaps matters may be different there. Religious eccentricities are indigenous to the soil in Wales. Is it possible that a mania has seized Welsh curates for swinging themselves on iron hooks inserted under their backbones, and that the authorities at Lampeter feel called upon to discountenance the practice?

There is no preface to give us any clue to the author's intentions. There is, indeed, a mysterious heading to the title-page, which we copy with the fidelity of devout awe:—"Paramésvarajnyāna-gōshthī." To the numerous Hindu customers who doubtless throng the shop of Messrs. Deighton, at Cambridge, these words of wonder will of course convey all the explanation we are anxious to obtain; but the ignorant Saxon must content himself with conjecture. On closer examination, then, of the work, and inspection of certain foot-notes and advertisements at the end, it appears that the author possesses a marvellous acquaintance with the works of Professor Williams, of Lampeter College, and also—which, considering the peculiarity of the views enunciated by that writer, is still more marvellous—that he entirely agrees with him. We are apt, with Dugald Dalgetty, to think that no one could know the Marquis's mind so well unless he were the Marquis himself. Archbishop Whately, in the same way, affects sometimes a literary *incognito*, but betrays it by his prodigal references to his acknowledged writings. And as we find that half this volume is taken up, not with a refutation of Hinduism, but with an exposition of the Professor's own very metaphysical views of Christianity, we presume that he adopted this circuitous method of preaching in order to give an Oriental zest to what otherwise might possibly be dry. The form he adopts is dialogue. A Buddhist, a Charvaca, or materialist, an orthodox Hindu, an heretical Hindu, and two English clergymen, are supposed to discuss the claims of their respective faiths in a conversation which fills 550 octavo pages. The dialogue is clumsily managed. It is adhered to, in its degree, as long as the heathens are explaining their systems; but as soon as the Christians break ground, it degenerates into a series of ponderous sermons. It is, however, a form which has its convenience for the author. It enables him, through his heathen interlocutors, to smash sundry Calvinistic absurdities with a freedom which might seem harsh if he spoke in his own person. Perhaps, also, he has the fear of the Bath judgment and the revived terrors of the 13th Elizabeth before his eyes. Even Dr. Lushington could not deprive him if his *dramatis personæ* were ever so heretical. We strongly recommend Archdeacon Denison, if he escapes this time, to take the hint, and the next subtlety he exhumes, to promulgate it in a religious drama.

The dialogue is opened by the Buddhist. He believes in a Deity; but it is an Epicurean Deity, who neither made the world nor meddles with it. The Buddhist idea of supreme happiness, and indeed the idea of all the Hindus, is most characteristically Oriental. It consists in absolute tranquil inaction, which any energy, or any action, or any volition would alike mar. The Hindu and Buddhist hope to gain this heaven of idleness, not by obeying the commands of their Deity—for it would disturb his sublime tranquillity to give them any commands to obey—but by a process of self-purification, which consists in austerity, study, and self-control, and which will, by the operation of mere natural law, lead them to the desired goal. But, unless they are perfect saints, this purification involves many a preliminary transmigration; and according to their merits will be the nature of the beast into whose carcass they find their way. The Buddhist differs from the Hindu in rejecting the whole of his complicated mythology and all his sacred books, and in believing that the earth must have been made, if made at all, by beings inferior to the Deity. He thinks that the world is too full of misery, and too jarring in its machinery, to be the contrivance of an all-perfect mind.

Next comes the Hindu heretic or Sankhyast. He professes to believe in the Vedas; but he bears to them about the same allegiance that a German theologian bears to his Bible. He believes in no Supreme being. The world is eternal, self-existent. All that it contains, inanimate and living, is the varied phenomena of nature—the life, the intellect, the action of men are only the mechanical development of one single blind fundamental element. So far he is simply an eccentric materialist. But, in deference to human consciousness, he further admits the existence in each individual of a soul. Its function is simply to watch the motions of this fundamental element—to be the spectator "before whose eye nature exhibits herself like a dancer going through many postures and twisting herself into a thousand shapes." As long as the soul considers itself mixed up in the concerns of the body it inhabits, it is blind, clouded, impure. When it has learnt to recognise in man and his desires a mere part of nature's great machinery, whose evolutions it can watch with pleasure but in whose fate it is in no way interested, then it has reached its liberation. And liberation involves immortality.

These two creeds are easily described, because they are the

\* A Dialogue of the Knowledge of the Supreme Lord, in which are compared the Claims of Christianity and Hinduism. Cambridge: Deighton, 1856.



offspring, in the main, of single intellects, and have therefore been reduced to symmetry. But the faith of the orthodox Hindu, built upon the accumulated writings of three thousand years, is a tangled web of subtle absurdities, of which no summary can give an adequate idea. The chief anomalies of the esoteric belief—for the more learned professors of Hinduism disclaim the foul obscenity and abject idolatry which form the aspect of it presented to the European—seem to have arisen out of an effort to save the nature of the Deity from the degradation of anything like a human attribute. Thus Brahm, the Supreme Intelligence, is tranquil and inert, according to the Hindu idea of sovereign bliss. His is a calm which neither act nor volition may disturb. But then, in the form of Brahma, Vishnu, Siva, he creates, upholds, and renovates the world; and in the form of a thousand lesser deities, he represents the forces of nature. Again, the neighbourhood of the Zoroastrians seems to have taught the Hindu to fear the doctrine of the independent existence of matter, as detracting from the omnipotence of God. Accordingly, he denies the existence of matter. It is an illusion—a projection of the thought of God upon the soul of man. Apparently, the independent existence of spirit seems to him equally derogatory to the Deity's power. He refuses, therefore, any individuality to the soul. It is a spark from the one flame—a portion of Brahm himself—veiled and separated by the fleshly accidents to which it is united, but destined, after a long course of discipline and ages of transmigration, to be reabsorbed in the Divine nature from which it originally came out. This extends to all that seemed to men immaterial, when physical science was in its infancy:—

"We, then, on the contrary, hold," proceeded Vidyacharya, "that whatever is the internal check in man, and whatever is seeing in man, and whatever is breathing in any man or animal, and whatever is ethereal above, and whatever is light in heaven or earth, must each be truly and in its innermost being soul, and soul is in one word God; for it can be nothing less, since all things save itself are inferior to it, and it can be nothing greater, for God is the greatest of all things."

In a foot-note we are told—

Slightly varied, but essentially the same, is the doctrine of the Bhagvat-gita, in which part of Krishna's speech has been prettily rendered:—

I am the Best; from me all beings spring,  
And rest on me, like pearls upon their string;  
I am the moisture in the moving stream,  
In sun and moon the bright essential beam;  
The Mystic Word in Scripture's holy page,  
In men the vigour of their manly age;  
Sound in the air—earth's fragrant scent am I—  
Life of all living—good men's Piety—  
Seed of all Being—Brightness in the Flame—  
In the wise Wisdom—in the famous Fame.

Griffith's *Specimens of Old Hindú Poetry*.

It never seems to occur to the Hindu that there are numberless things which must of necessity lie beyond the reach of human logic. His doctrines are the ludicrous contortions of the intellect straining to explain the inexplicable.

Then follows the materialist interlocutor, whose views we need not detail. After him, the Christians speak, and refute the doctrines of their opponents; and then they proceed to give an exposition of Christianity, according to the author's reading of its truths. We have no intention of entering upon Professor Williams's theology, which is of a cast which will probably meet with more sympathy abroad than in England. It is not our business to break a lance in defence of orthodoxy, which counts upon its roll plenty of valiant knights burning to do their devoir in its cause; but we have a word to say on behalf of truth. Out of the fierce controversies of the last twenty years has arisen a school of theologians who, in alarm at the rapidly-progressing disintegration of Christendom, have conceived the idea of recombining the various shades—including even the extremes—of Christian thought, by simple muddiness of expression. The idea is not a new one. It is the principle, hardly disguised, on which the Thirty-nine Articles were framed. The prefixed declaration of Charles I. avows, almost in terms, that their purpose was to reconcile opposing schools by ambiguous language. How far the device has succeeded, the present generation has had ample opportunities of judging. Of the school which is now engaged in renewing the attempt, Mr. Maurice is manifestly the coryphæus. Three years ago, he published a volume of Essays which were a kind of gauntlet thrown down to commentators—a very Sphinx to theologians. No *Œdipus* has appeared to solve the riddle. We have met many men who were enthusiastic about them, but we never met one who professed to understand them. Mr. Jowett made a similar experiment a year ago. But if these productions were intended as peace-makers, they were lamentable failures. Men like a puzzle as little as they like a heresy. People did not understand them, it was true; but they understood that they did not understand them, and that was quite enough to produce an angry mistrust. The result was, that both the inexplicable Professors suffered a species of petty persecution. The work before us is another masterpiece in this style of composition. It is impossible to give a summary of its doctrine, for no pen can fix its ever-varying hues. It reads like a husting address, made by a member when he knows that his opinions are unpalatable to his constituents—or like the speeches of a political leader whose opinions are changing just before he deserts his stanch and stationary party. The ordinary phrases are used; but they are gutted of their meaning by some ingenious exegesis. We meet with the formulas to which

we have been used, but always emasculated by the insertion of some qualifying adverb. We rise from 300 pages of doctrinal preaching without a distinct idea of what Professor Williams believes on any of what are usually looked on as vital articles of speculative belief. At times he appears to hold the Incarnation, Inspiration, and the Fall, in the sense usually attached to those terms. At others—and they are more frequent—the Incarnation becomes merely the possession of divinely good qualities, Inspiration a record of devout experiences, and the Fall melts into the fact that we are all as bad as Eve was. Of course, we do not dream of imputing dishonesty to a person of Professor Williams's character, but, as a matter of expediency, we must beg to doubt the policy, in such high matters as these, of using words to conceal our thoughts. Much of the bitterness which has disgraced our recent controversies has arisen from an uneasy feeling on the part of the mass of Englishmen that there was always an *arrière pensée* in the minds of the disputants, and that they never fully expressed all that they really meant. Professor Williams has shown himself, in the earlier part of the volume, fully capable of the most luminous treatment of the subtlest metaphysical points. He has thrown a glare of light on the opinions of his opponents; but it was a mistaken charity which has induced him to cast a mist around his own.

#### ROUMAN ANTHOLOGY.\*

"AFRICA," it has been said, "begins with the Pyrenees." If Asia does not begin, at least Europe ends, with the eastern gate of Presburg. From the castle where Maria Theresa threw herself on the protection of the Hungarian magnates, the eye ranges over a green plain, flat, and to all appearance boundless as the ocean. If we advance a hundred miles to the eastward, and stand on the Blocksberg of Buda, one of the scattered islands in this wide expanse, the same prospect is again presented to us. Far beyond our sight stretches the endless Puszta, the true land of the Magyar, broken, not interrupted, by the ample stream of the Theiss. If we move forward yet again, and look down from the bastions of Belgrade, the scene is still the same; nor does it vary all the way to the Black Sea, except where the spurs of the Carpathians and of the Balkan, pressing forward to meet, form in the bed of the Danube, that chain of rapids, the most remarkable of which is the Iron Gate. This great plain and these mountain offsets are inhabited by races differing in language and in culture from the nations of the West—Slaves, Magyars, and Roumans. The first two of these are descended from the wild hordes of conquerors who poured along the mountain lines of Asia at the epoch of the last great migration. The Roumans are a mixed people, the offspring of the old Dacian barbarians and of the Roman colonists who settled in the country between A.D. 107, when Dacia became a province of Trajan's empire, and A.D. 272, when Aurelian ceded it to the Goths. Their language, as might have been expected, is a modification of the Latin. Its grammar, according to Professor Müller (*Languages of the Seat of War in the East*, p. 43), is "very easy—any one acquainted with Italian and French could master it in a fortnight."

We confess that when we first opened the volume under review, our astonishment was great. Three-fourths of it is in Wallachian. We could not understand why a work, in a language which not one Englishman in a hundred thousand understands, should be published in England in so gorgeous a form. The mystery was solved by the preface. A controversy is going on in the Danubian Principalities between the partisans of Russia, who prefer the Cyrillic alphabet, and the patriots, who like the Roman letters; and Mr. Stanley hopes, by calling in the powerful assistance of Mr. Austin, to effect a diversion in favour of the good cause. The Cyrillic alphabet takes its name from Cyril, a Greek monk, who was sent, in 862, from Constantinople to convert the Slaves. Its letters are cumbersome, and in its Wallachian form there are no less than forty-four of them. The groundwork is Greek, but many sounds alien to Greek ears are expressed by peculiar symbols. A list of these is given in the work of Professor Müller quoted above. The Russians used the Cyrillic alphabet up to the time of Peter the Great, who struck nine letters out of it, and altered more or less the form of the others. There remains, however, sufficient resemblance between the two alphabets to make it a great object with Russia to keep up among the Roumans the use of this distinctively Slavonic instrument of knowledge. The strife of the learned about the way in which Wallachian ought to be written with Roman letters, has played into their hands. A few years ago, we tried in vain to procure, at Orsova, a work in the Wallachian language. Some days afterwards we succeeded in our object at Vienna. This work, although it was a manual issued under the direct authority of the Austrian Government, was printed in the Cyrillic character. The Austrian Government evidently preferred the risk of furthering the Panslavic designs of Russia to doing anything to rouse the dreaded demon of independent nationality. When the Russians entered the Principalities, in 1848, they destroyed Mr. Radulesco's printing-presses at Bucharest.

\* *Rouman Anthology; or, Selections of Rouman Poetry, Ancient and Modern; being a Collection of the Ancient Ballads of Moldavia and Wallachia, and of some of the Works of their Modern Poets, in their Original Language.* With an Appendix, containing Translations of some of the Poems, Notes, &c., by the Hon. H. Stanley. Hertford: Austin.

In an appendix, printed and illuminated like the rest of the work, Mr. Stanley has given translations from some of the Rouman poems which compose his collection. The first of these, "Prince Radu and the Maiden," is a sort of savage version of the tale of King Cophetua. The story is told when the last four lines are quoted:—

To this flying steed thou mayest bind me,  
But to thee, my lord, I will not give a kiss.  
Prince Radu thereupon assembles his court,  
And joyfully marries the proud maiden."

"Miora" is a dialogue between a shepherd and a pet-lamb, who warns her master to be on his guard against the murderous designs of two of his companions. The exhortation—

... call to yourself a dog,  
The one that is bravest,  
The one that is strongest,  
For at the setting of the sun  
They are to kill you—

will not be lost on those who know the ferocity of the useful, but not very discriminating, quadrupeds who play so important a part in Danubian travel.

"The Young Girl on her Death-bed," though not perhaps the most characteristic, is so very much the best poem in the collection, that we quote the whole of it;

Like the captive who sings bitterly in his captivity,  
With his arms chained, a mournful air;  
Like the stream that moans beneath the storm,  
On my death-bed I sing mournfully.

A lily withers and inclines to the ground,  
When the day is cold and the sky is clouded,  
When the sun scorches it, when the wind beats on it,  
When the hail falls in torrents on the flowers.

Thus unexpectedly on my days,  
A bitter fate has bitterly weighed,  
And thus, like the lily under the driving sleet,  
I have fallen suddenly on my death-bed.

Hardly at the spring of my desires—  
Fragile like the dew—I had hardly arrived,  
Than when the nightingale sings amid the flowers,  
Severe misfortune has profoundly afflicted me.

Death is bitter when man is young,  
When the days are pleasant and life is easy;  
When the birds sing, and the flowers tell  
That life is sweet, and has not a sigh,

Let the old man die who inclines his head,  
Let him lament time gone by who is wearied with years,  
Let the captive die who sighs in chains,  
Let every one die whose heart is broken.

But I, like a flower which bloomed in the showers,  
I grew with the sweet songs of birds,  
And love with dewy lips,  
With a soft heart, bestowed on me his kisses.

Like the leaf which falls in autumn when it snows,  
Blown by the winds to the ground;  
Alas! my young life now fades,  
And my tender years close in the tomb.

"Fét-Logofét," by M. Aleksandri, of Yassy, is a kind of Roumanic "Dinna think, bonnie Lassie," without much merit. In "Biondinetta," another poem by this author, there is a pretty idea:—

One day beside the fountain,  
Titian said to me softly,  
"There is no hand in a condition  
To attempt thy portrait;  
But I swear, by the superb sun,  
If thou wishest it, on the spot,  
I will make thee immortal,  
Attempting only thy shadow."

"Venice," also by M. Aleksandri, is common-place. "Ereulean" is a ballad of Austrian Wallachia, and describes allegorically the discovery of the mineral springs known to the Romans as the *Therma Herculis*, in the deep gorge of Mehadia—not omitting a compliment to the Cserna, the bright little river which comes sparkling down its green valley, to join at Orsova the dark flow of the Danube. After long searching, the "fated fairy prince" arrives, and the spring leaps forth:—

Ereul Ereulean,  
The superb captain,  
Stamped on the rock,  
And from it at once  
Comes out a beautiful maiden,  
With bared bosom,  
White and fair,  
Sweet and cool,  
With golden hair  
Upon her shoulders.

We have great respect for the healing virtues of the waters of Mehadia, but we must protest against their being thus honoured. We are willing to maintain against all comers that there is no population in Europe in which a greater amount of female beauty is to be seen than in Austrian Wallachia. The Florentine, *bella come il campanile*—the queen of the Marina, whom the Palermitan, after exhausting all other epithets of praise, pronounces a *candela di cera*—nay, even those dark-eyed maidens of Prague from whom Titian took his ideal of beauty—do not surpass, if they equal, many a peasant-girl who may be seen, with her long hair wreathed with roses, upon any summer fête-day morning along the Cserna's banks.

The "Ring and the Handkerchief" is a wild ballad on the well-worn subject of love in the young and opposition in the old.

"The Soldier's Dog" (*Cainele Soldatului*) is an imitation by M. Alexandresco, of a poem by Casimir Delavigne. We give the last verse in the original, for our readers to try their powers of conjecture on—

Dar în dimineata acea viitoare,  
Pe când se deceptă omul muncitor .  
Zăcea linga groapă, mort de întristare  
Cainele Azor!

M. Alexandresco is the author of some excellent political fables. One of them is the "Swan and the Young Crows." The young crows are the Danubian Principalities—Russia is the plausible fox—and the swan, who gives good advice, has the usual fate of good advisers. Two poems by M. Cretzianu do not strike us as in any way remarkable; nor does the "Adieu to Moldavia," which concludes the volume.

Through most of these pieces there is a sort of undertone of vague melancholy—a feeling common, we suppose, to the dwellers in all great plains, where there is the mystery and the boundlessness, without the life, of the ocean. Every one must have felt this, more or less. There is a charm of a quite peculiar kind in great breadths of unbroken corn-land, in heaths and sands, in "waste fens and windy fields." The dwellers in Central Hungary become passionately attached to the vast level in which they live. "Extra Hungarici," says the proverb, "non est vita, vel si est vita non est ita." Mr. Paget tells a story of a girl who was taken from the plains to the Carpathians. "What!" she said, bursting into tears, "do people live here too?"

This volume, if it is intended rather for the meridian of Yassy than for that of London, will, we hope, be here also favourably received. It is, in its way, a very perfect work of art. A binding exquisitely delicate, broad borders in gold and colours, taken from Byzantine and Slavonic manuscripts, ivory paper, and lovely little vignettes, entitle it to a place on the drawing-room table as an ornament, independently of any other claims. Those other claims, however, we are far from thinking lightly of. Russia has made literature and philology formidable weapons of aggression in Eastern Europe. A private gentleman in England has now come forward to use the same weapons against her. All success to him in his enterprise! He has done more than produce a beautiful Christmas book—he has done something to promote peace and good-will, at least amongst men *bona voluntatis*.

#### SIR FRANCIS HEAD'S DESCRIPTIVE ESSAYS.\*

EVEN those readers who are not very skilful to "trace an author by his style," and to catch those evanescent and impalpable lines which mark a man's thought and expression as his features mark his face, have not failed for many years to notice, among the extremely respectable but somewhat prosy articles of the *Quarterly Review*, some whose characteristics were so very decided that there was no passing them by. They were so lively in thought and language, so graphic in description—they showed so much sharpness and knowledge of the world, combined with a certain artlessness and simplicity—while dealing with subjects never very deep or difficult, and often of such a nature that it was evident the sprightly and good-natured writer had only very recently made himself acquainted with them, and then for the express purpose of getting material for a *Quarterly* paper—that there was no mistaking their authorship. People at once recognised the handiwork of the gay adventurer who in his youth had galloped over the Pampas—who in middle years, the most cheerful of invalids, had gathered the *Bubbles from the Brunnen of Nassau*—and who, in later life, had told us of the *Defenceless Condition of England* in a style so agreeable that it was with the keenest relish we read how easily our property might be ravaged and our throats cut, London sacked, and Britain ruined.

Sir Francis Head has now collected his *Quarterly* contributions, which, with characteristic liveliness, he describes as a "Brood of Literary Chickens, hatched in the *Quarterly Review*, and now migrating from their coop to fare, in the wide world, for themselves." In his short preface he tells us that, notwithstanding the proverb that *Birds of a feather flock together*, no two of his literary chickens will be found alike, in size, substance, or colour. We are greatly mistaken, however, if the intelligent reader will not find the same characteristics running through them all. The gaiety, the good-humour, the graphic power—the style, never very neat, or compact, or chaste, and sometimes exaggerated into unmistakable bombast and claptrap—the occasional outbursts of high Toryism, coming in at the most unlikely places—the fearful alarms of impending ruin to Great Britain, unless its rulers speedily revert to the principles the writer is enforcing—the prompt return from these tremendous forebodings to a tone of greater cheerfulness than ever—the poor jokes—the sly phrases of double meaning—the inveterate liking for horseflesh—the prominence given to information obtained in his days of Government employment—the overwhelming compliments paid, whenever an opportunity can possibly be found, to the Duke of Wellington—and the healthful and genial feeling which pervades the whole—such are some of the marked features by which all the *Descriptive Essays* of Sir Francis Head are

\* *Descriptive Essays* contributed to the *Quarterly Review*. By Sir Francis B. Head, Bart. 2 vols. London: Murray, 1857.



distinguished. To these we must add, as a very pleasing one, the author's kindly sympathy with all sorts of men, in all different modes of life. The Cornish miner, as he toils in his level—the railway engine-driver, as he faces the hurricane which passes him at a hundred miles an hour—the Deal Hoveler, as he launches his boat and hastens through blinding spray to the wreck on the Goodwins—the post-office clerk, as he struggles towards the sense of the illegible inscriptions on his daily ten-thousand illegibly-inscribed letters—the printer, as he arranges his types or eats his humble dinner seated under his frame—all are described, not merely with a minute fulness of information which would have gratified Mr. Gradgrind's appetite for facts, but with a kindness and gusto which show us how thoroughly the author has thrown himself, by a hearty sympathy, into the manner of life he is describing. Sir Francis Head's *Descriptive Essays* are not the chilly narrations of the mere minute looker-on—circumstantial, accurate, and cold. It is not head without heart that we mark in his sketches of varied life. His men are not mere figures in a table of statistics. We feel that he has fully pictured out for himself each mode of existence which he presents to us. He has identified himself, for the time, with each human being whose way of living he describes; and hence his writings derive a heartiness and geniality which constitute perhaps their greatest charm.

And so it is that, in reading Sir Francis Head's book, we not merely admire the writer—we grow fond of the man. He appears to us the very ideal of what is commonly called "a fine fellow." His frankness, outspokenness, geniality, high spirits—even his strong political prejudices and his bad jokes—all go to make up that universally popular personage. Who could sit down to criticise such a man severely? We owe him too many pleasant hours, too many vivid ideas, too many kindly feelings and cheerful views, for that. And if he has his faults, we do not hesitate to say that they are all of such a nature that we only like him the better for them. He would not be Sir Francis Head without them. Who could seriously find fault with the following brilliant witticism?

To avoid errors, the types are all purposely cast with a "nick" on one of their sides, by which simple arrangement they are easily recognised, and made to fall into their places the right way. And compositors as regularly place the nicks of their type all outermost, as ladies and gentlemen scientifically place themselves at dinner with their nicks (*we mean their mouths*) all facing the dishes.

Not only is the style of all the *Essays* in these volumes very uniform, but we venture to say, in opposition to the author's own view as to the great diversity of his "chickens," that the subjects are all very much alike. They all lie within a very limited range. No one who understands anything of the principles of classification will say that, because the *Essays* treat of people who live very differently from one another, and very far apart from one another—as Cornish miners, printers' devils, post-office clerks, railway stokers and pokers, and Red Indians—therefore, the *Essays* deal with subjects of very different kinds. On the contrary, they are all of the same kind. All, with one or two exceptions, are engaged in setting out some mode of life. Their author has fixed on a number of institutions or systems of social machinery; and then, in a succession of sprightly gossiping articles, he has given us some insight into the working of these systems, and into the fashion in which the human beings live by whom they are worked. Aware that there are few things of greater interest to thoughtful men than to know how those days and hours which pass over all are employed by their fellow-creatures near or far away—and to know, likewise, how things are done of which we daily see the results—Sir Francis Head has introduced himself to various scenes of human life and exertion. He has gone to the workshops, tunnels, locomotives, and stokers of the North-Western Railway—to the printing-offices and type-founding establishment of Messrs. Clowes—to the sorting-rooms of the London Post-office—to the halls and the cellars of the Electric Telegraph Company—to the village of workmen which gave life to the Menai shore while the Britannia Bridge was rising to be the world's first wonder of mechanism. Note-book in hand, he recorded the particulars which were likely to work up well into a "descriptive essay;" and in these volumes we find the result of the entire operation. We cannot fail to be struck by his power of mastering details, and reproducing them in an amusing form, and by the skill with which he gives a popular description of the principle of various machines very hard to explain to the non-scientific reader. Many ladies, we should think, have derived from the *Essay* on the Britannia Bridge their first notion of the source of the tremendous power of the hydraulic press. There is no great depth of philosophy about the *Essays*—they are very plain-sailing and easy reading—but they are, doubtless, what their author intended they should be.

Sir Francis Head has very fitly called his *Quarterly* contributions *Descriptive Essays*; for their great charm, and their author's great strength, lie in picturesque descriptions of scenery, and sympathetic descriptions of life. They possess also one or two minor characteristics which are worth notice. One of these, to which we have already alluded, is the author's propensity to jokes which say more for his cheerfulness than for his wit. We have given a specimen, in regard to the mouths of guests at a dinner-table. The following passage is a fair representation of the average character of Sir F. Head's jocular

success. Speaking of the variety of articles which he saw in the lost luggage-office at Euston-square railway station, he says—

Of course, in this Rolando-looking cave, there were plenty of carpet-bags, gun-cases, portmanteaus, writing-desks, books, Bibles, cigar-cases, &c.; but there were a few articles that certainly we were not prepared to meet with, and which but too clearly proved that the extraordinary terminus-excitement which had suddenly caused so many virtuous ladies to *elope from their red shawls*—in short, to be all of a sudden not only in "a bustle" behind, but all over, had equally affected men of all sorts and conditions.

Not even those gentlemen who write leading articles for the *Times* equal Sir Francis Head in the faculty of beginning their remarks with something a thousand miles away from the subject before them. But they certainly excel Sir Francis in the power of showing the bearing of these remote considerations upon the matter to be discussed. We have read attentively, more than once, a chapter entitled "On the Construction of a Railway;" but we have wholly failed to discover the *nexus* which unites the introduction of that chapter—a very minute account of the manner in which an old soldier of the *vieille garde* proposed the health of Louis Napoleon at a great dinner given at his installation as President of the French Republic—with its proper subject. We are quite aware that an ingenious man might show some relation existing between things apparently even more remote; but Sir Francis was content to bring in a little story which he could tell prettily and with a good deal of pathos, without caring whether it had or had not the slightest connexion with his subject.

As to his mannerisms in style—his frequent use of triple marks of exclamation, and of large and small capitals—and his fashion of throwing what he considers a striking sentence into a line by itself—all we need say is, that we do not like such things, though some people may. Then we find here and there stories of an extremely apocryphal character, such as the following with which he introduces the *essay* on the *Printer's Devil*—

"And now, *ma freends*," some fifty years ago said an old Highland preacher, suddenly lowering a voice which, for nearly an hour, had been giving fervid utterance to a series of supplications for the welfare, temporal as well as spiritual, of his flock—"And now, *ma freends*," he once more exclaimed, with a look of parental benevolence it would be utterly impossible to describe, "let us pray for the poor Devil! There's *naeboddy* prays for the poor Devil!"

The bearing of this story upon the subject of the *Essay* is, of course, obvious. And after a very lively and minute description of the details of a day's work in a printing-office, Sir Francis ends with the practical lesson, in large capitals, and in a line by itself—

#### LET US GIVE TO THE DEVIL HIS DUE!

We do not think Sir Francis Head so successful in his political articles. There is one paper, entitled "British Policy; a Strange Story," which contains a narrative of the circumstances under which the Earl of Durham ceased to be Governor-General of Canada. Such a story, unless related with the calmness of history (as it is *not*), has at this time of day outlived its interest. An *Essay* on "English Charity," which is a defence of the New Poor-law, contains a remarkably well-conducted Socratic dialogue between a labourer and the Assistant-Commissioner (Sir F. Head), on the question whether husbands and wives ought to be separated when received into the workhouse.

We have mentioned the author's tendency to sound notes of awful alarm. Where one least expects it, we are ever coming upon dark forebodings of some undefined destruction which is hanging over Britain. After describing the printing-office, Sir Francis tells us that he could not leave it without reflecting that—

Under Providence, the Press is the only engine that can now save the glorious institutions of the British Empire from the impending ruin that inevitably awaits them, unless the merchants, the yeomanry, and the British people, aroused by the loud warning of the said Press, shall constitutionally disarm the hands of the destroyers.

His warnings of the fearful consequences which are likely to result to this country, unless Government shall take all the railways into its own hands, are extremely amusing. Among other things, we are told that—

A company of high-spirited sporting young proprietors of railway stock might take a pride in hurrying the mails and the public infinitely faster than was safe: a company of old gentlemen might, from caution, convey them too slowly!

Can Sir Francis be serious? Many of his forebodings are really such as we might expect from "Aristides," "Cato the Censor," or the "Scourge of the Aristocracy," in a twopenny Sunday newspaper.

But, within his own range, our author's power never fails him. No English writer ever described with more life-like and picturesque effect. He brings before our mind's eye, real and sharply-defined, what Ben Jonson calls "the shapes of things." Whether it be the great American lakes, with their snowy shores on a winter night, or the engine-building shed at Crewe, with countless locomotives rising from their first rude outline into their trim perfection, or the Goodwin Sands in a hurricane, or the Red Indian disguised in the colonel's uniform of the United States—we can see the very thing he is picturing to us. We thank Sir Francis Head for the pleasure his volumes have afforded us. Countless readers will be pleased to possess his *Essays* in their present form; and in noticing a work with which a large portion of the public must be already familiar, we have thought it better to confine ourselves to a view of its salient characteristics than to offer any account of its contents.

JESSIE CAMERON.\*

IT is pleasant to find a story of humble and rustic life written by a lady in such a manner as to show that she is not only acquainted with its picturesque exterior, but has heartily entered into the feelings, and studied the habits and dialect, of a class widely differing from her own. Lady Rachel Butler has given the world a Highland story, written in a simple, straightforward style, free from all trace of exaggeration or unnatural striving for effect. This is certainly a great merit; but we fear we must add that this is the highest praise we can assign to the author, as the materials are slight, and the story has little sustained interest. Jessie Cameron, a cotter's daughter, is the heroine—a sweet, "leal" lassie, living in the beautiful glen of Rhynie, with her widowed mother:—

Kin-Rhynie Brae rose sheltering behind the cottage, the whitewashed walls of which could vie with any part of the Laird's garden, in the luxuriant clusters of honeysuckle and climbing roses which covered them, and wreathed round the small windows. The cottage consisted of a kitchen (entered by a covered-in porch), with the universal wooden settle close to the wide chimney, and a deal dresser ornamented with an endless variety of bowls, plates, and gaily-flowered crockery, and showing underneath a goodly collection of black pots, kettles, bright tin pails, and cans of all sizes. A wooden bed with doors, an adjoining cupboard, and a mighty "kist," constituted the principal furniture of the room.

Beyond the kitchen there was a small chamber where the widow and her daughter Jessie slept; and a loft above, sacred to stores of wool, and odds and ends of all sorts, which also contained the bed, wardrobe, and worldly goods of Donald Cameron, the widow's second son and youngest child. Johnnie, the eldest, worked at his trade of mason; Jessie looked after the house, the kail yard, and the cows, blithe and busy as a bee from day dawn to gloaming. But Jessie is my heroine, and shall have a word to herself.

Honest, true-hearted Jessie! how well the sweet Scotch word "leal" describes her disposition! and how the widow would bless the Almighty for the gift of so good and helpful a bairn! How her brother Johnnie loved her, and the wild callant Donald too, who cared more for a grave look from Jessie than for all the parental scoldings which his frequent misdemeanours called down upon him!

The widow had given her children the best education her means and the place afforded; the parish schoolmaster had duly taught them to read, write, and understand arithmetic, for all of which Johnnie showed as excellent a disposition as Donald did the reverse; and many a half-hour's weary toil had the latter cost Jessie, trying to get him to his books, when with heart and soul he was longing to finish tying the flies which were to catch the largest trout in Rhynie!

When spinning, knitting, and sewing were added, I believe Jessie's education was complete. But who taught her the innumerable ballads and songs which she used to sing over her work, either in the homely broad Scottish dialect or the more poetic Gaelic? This I am unable to inform you; I conclude they came, like the reel steps and flings, which made Jessie the best dancer of Glen Rhynie, by intuition.

Widow Cameron is the very pink of a Highland gudewife—honest and pious, with just a little pride and characteristic independence. The second chapter opens with a very successful description of a Scotch wedding, to which the Camerons were bidden by the bride, with the proud—though to Southern ears somewhat comic—addition to the invitation, "that it was to be a free marriage, and naeboddy wad hae to pay." Jessie has a sweetheart, though not an acknowledged lover, in Allister Stuart, brother to the Laird of Dunerdie's bailiff—a handsome young fellow, and a good match for any girl in the strath. He has just returned from studying farming in Ross-shire, and honest John Cameron also comes home in time for the wedding and ball. When Jessie is decked out in all her simple finery, she regrets, for Allister's sake, that she has not "got a silk gown, like Maggie's sister;" yet she immediately consoles herself with the reflection, "but for a' that, I daur to say I can dance as light and be as often ta'en up as ony lass in Dunerdie." The justness of this anticipation is proved in the sequel, and the wedding party keep up the dance till the night wanes. Unhappily, however, Donald, the youngest Cameron, is led away by wild, lawless companions. He joins in their poaching expeditions; and one of these, which had nearly a fatal termination, we may relate, as being characteristic, in the author's words:—

Early that same morning, Donald, Peter, and the rest, stole off, long ere daylight, and made their way into the best ground in the Laird's deer-forest. The stormy weather and high wind had, as Peter and Innes correctly calculated, driven some of the stags for shelter to the outskirts of the fir-wood, where, among the corries and recesses of the hill, they found good grass and quiet feeding.

Perfectly acquainted with the habits of deer, Campbell had managed his stalk beautifully; and when, soon after daylight, the herd commenced feeding on towards the concealed poachers, Peter deemed his success a certainty. The hinds and their calves, however, were so long in his way that he only got a shot at the fine stag, which was his object, later in the morning than he had counted on. Severely wounded, the poor animal yet struggled gallantly to escape, and, followed by the party and their sly, crafty-looking dog, half deer-hound, half collie, he went over some little extent of country, but was finally brought to bay in a deep glen, through which a mountain-burn, swollen to fury by the late heavy rains, dashed along in a brown, angry, and foaming torrent.

No sooner was the stag fairly dead, and laid on the heather, surrounded by his destroyers, than Innes and Peter, having first "gralloched," commenced hiding the carcass with boughs and turfs, leaving it to be cut up and carried away during the night. The whisky-flask went round, and the four poachers were about to make the best of their way home, when through the storm was heard the faint echo of a hound's bay, which, however, was instantly silenced. "See to yoursel's, lads," said Peter, listening; "it's hardly possible that we can be followed, but we may as well loup over the linn as be fund here wi' our guns. Laurie's awa, an' I ken fine that the watcher was on theither beat this mornin'." Donald, lad, tak you the second gun (mind, for she's loaded), and Tam, gang down a wee, and look gin a's right."

A few seconds of suspense, and Tam reappeared with an anxious face and

signals expressive of danger. "Gude sake," he cried, "rin for yer lives, men; the mist is liftin', an' I see Laurie an' his lads, an' the ither watcher wi' him. The dog, too, is on the vera track o' the stag's feet, an' smellin' at the bluid-drops on the heather!"

One look around and at each other, and the four felt that a prompt resolution was their only salvation. "Ane through yon water an' up the rocks, we'll gie them a turn through the hill."

"We'll meet them, an' see wha's best," said Innes, fiercely.

"Na, na," continued Peter, "what winna do by might, do by flight. Gif they dinna see us, they canna swear till's; but the burn is just awfu' deep an' fu' o' holes, an' strong too. It's bigger than Rhynie at the ford, but yet it's our ae chance, I'm thinkin'. Sae in wi' ye, Innes! I'll tak the gun, for I'm strongest."

Cautiously, at different places, they stepped down into the sullen flood, and with different success.

The water came up breast-high, and the current ran with fearful velocity. Holding by roots and branches at first, and then steadying themselves as best they might, Campbell and Innes were near the other bank when the hound came in sight, and made straight towards the half-buried stag; whilst, in one other instant, the men, headed by Laurie, a powerful and resolute-looking man, appeared on the top of the steep glen-side. At first both Peter and Innes thought all was safe, for they well knew that few would risk fording the burn in its present dangerous state, and they crept up through the juniper-bushes, which, being in shadow, afforded them shelter. But a cry from the very bed of the torrent caused the pursuers to hasten down the rocks, and the pursued to think the game was up.

Donald Cameron, like the two first men, had experienced great difficulties in buffeting the waters, but his strength and activity had nearly got him through, when he too heard that cry of agony, and looking round, he saw the lad Tam M'Kay hurried along by the current, and vainly struggling with the stream. Regardless of personal danger, Donald plunged back into the river, his quick eye having at once seen that a powerful eddy would bring the drowning terrified lad within the grasp of his arm. One hand held the gun with which he was intrusted high out of the water, with the other he caught M'Kay's clothes, and dragged him to the shore, whilst Campbell crept through the bushes, and assisted to pull the half-exhausted creature on land.

Meanwhile Laurie and his party were on the opposite bank, preparing to take the stream, shouting and encouraging one another. They had all paused, seeing the danger and difficulty of the attempt, and one and all watched Donald's gallant exploit with secret admiration. Laurie with violent words urged them on, and they, perhaps willing to give their foes one other chance, again hesitated, when Laurie sprang past them, exclaiming, "Donald Cameron! I'll have you in Inverness jail for this morning's work, you idle ne'er-do-well loon! Fine comfort that will be to your widowed mother, and a good return for your upbringing: when you're side by side with all the rascals o' the shire, it will break her heart, maist likely." During this speech the irate keeper descended to a rock in the water, and was preparing to ford. Donald had gained the shore, and turning round, mad with passion and excitement, faced his pursuers like a baited bull, and stood there, gun in hand.

Innes and Tam had managed to creep up the hill side, but Campbell still lay concealed in the junipers, goading on Donald by half-audible exclamations. Donald, in whom rage had conquered all other feeling, shouted to Laurie, "Gif ye ca' me an' mine sickle names, an' if ye come aboot as step nearer, as sure as death I'll shoot you as you stand." To which the keeper replied, "Tak you care, my bonnie boy, or it's hangin' you'll be kept for," and stepped into the torrent.

The next instant there was a flash, a sharp crack, and a deep groan, as the shot and slugs, with which the gun was loaded, took effect in Laurie's right arm and shoulder, and he fell into the deep pool near which he stood.

Lawrie does not die, however, and Donald escapes to an old shepherd's bothy on the hills. Half-dead with remorse and fear, the smuggler, old Lachlan, hides him in one of the whisky bothies that had puzzled the gaugers of Dunerdie. While Donald lies concealed, there is a comic scene—for Lady Rachel Butler has considerable appreciation of the humorous—enacted between little Mr. Wilson, the supervisor, and Jean Lachlan, a handsome, masculine lass. In order to gain time for her father and his friends, who are busy hiding the dangerous contents of the still, she first flirts with "Maister Wilson," and then contrives to lock him in the "girnle," where he remains till he is released by his own men—but not before "big Jean" has assisted her father, and they have had a hearty laugh at Jeanie's unwitting the gauger. Donald is not detected; and, with the help of Allister, John contrives to get his brother off with an emigrant party setting out to Australia from the village. At this period in the story, pretty Bell M'Pherson comes to a farm near Kin Rhynie; and she and Jessie become great friends, although bonnie Bell is vain, capricious, and wild, for ever playing pranks, and turning the heads of all the lads with her beauty and fascinating ways, while Jessie is "purpose-like," orderly, and domestic. It is settled that Allister is to marry Jessie in the spring, when the house which is to be their home shall be built at Birken Brae, by the alder-fringed burn. But the Laird's brother, Captain Angus Gordon, who occupies the "great house," turns the current of events, just as Bell—who captivates everybody and cares for nobody in particular—is determined to win John Cameron, being piqued by his apparent indifference. The little tyrant is fast getting her own way, when the Captain comes to Dunerdie. He amuses himself with flirting with farmer M'Pherson's pretty daughter; and he and Aunt Eppy, who is like a mother to her, nearly succeed in spoiling Bell, when her father hears ill-natured comments made on his daughter, and sends her away to a married sister. This is not the only mischief which Captain Angus brings about. He makes a sporting companion of Allister, who becomes conceited and a fine gentleman, and eventually considers that he is throwing himself away on homely Jessie Cameron. These ideas originated with, and are encouraged by, the Captain, who finds his protégé a situation in Ayrshire. When absent, his letters to his betrothed grow colder and colder, and Jessie, whose honest heart can form no idea of change, has to acknowledge that he is unworthy of her devoted love.

John and Bell do not progress in their courtship; for, in a malicious moment of spite, Bell heartlessly scorns the confession of his long attachment, though she loves him all the while:—

"I'm to gang awa the day mysell," said John, "an' muckle as I wad hae likit to leave it unsaid, I canna langer keep my tongue frae tellin' what gars

\* *Jessie Cameron: a Highland Story.* By the Lady Rachel Butler. Edinburgh and London: Blackwood and Sons. 1857.



my heart beat wildly. When first I saw ye, Bell, I needed nae second thoct to own that ye were bonnie. Then, though I had nae hope o' yer favour, and was never thinkin' sae muckle as that I wad get even a kind look frae you, ye ken yoursell ye socht me; ye spak to me kindly; ye were gude to my mither an' to me. Yet for a' that I dauredna hope. Then cam the cloud; jithers blamed ye, but I lamented for ye. Noo that ye've kent what the world's spite is, ye'll maybe no scorn an honest lad that has a heart for name else but you. Never hae I loed afore, an' though ye were parted frae me now for a' thegither, to my deirin' day ye'd be the only aye I ever wad gie up a' for. Ay! mair than my heart's bluid I wad gie, gin ye asked it o' me." John's words came from his very heart; he grew pale as death with the emotion which thrilled through him as he spoke.

He felt that on Bell's answer depended the whole fate of his future life; and yet there she stood, rolling her apron up between her fingers, and giving no sign of attention, save that her breath came quick and short. A whirl of thoughts filled her head, for John's abrupt declaration took her by surprise. A strange feeling of joy at having won his heart, wonder at his boldness in thus wooing the beauty of Dunerdie, and a secret inclination to cry with happiness, mingled with astonishment at John's plain, manly speech, so different from Captain Angus's high-flown compliments. Suddenly Aunt Eppy's warnings came upon her. Had John really plotted to keep her away from home and the Captain's society? and was this visit and confession pre-arranged and abetted by Katie and her father? If John thought he was to get her so easily, without suspense or trouble, it was time to give him a lesson. She said after a while, "Weel then, since I'm no askin' for your heart's bluid, will ye gie me an answer to a plain question? Were you speaking to Katie or my father about me? an' are ye ane o' them that keeps me here, awa frae home? If no, will ye take me back to my father's house, as I wish the day, or gie me a reason whatfor no?"

John looked grave and sadly anxious, but answered unhesitatingly, "Ay, Bell, I hae spoken to baith your father an' sister, for they askit me what I thoct o' a' the clashes about ye; but oh! dear lassie! dinna ask me to tak ye hame, for I wad cut off my hand before I'd do't. Ye had best bide whaur ye are; folk 'ill a' think weel o' a dochter that kens hoo to 'gree to her father an' friends' advice. But oh! dinna look sae scornfu' as ye're doing: I hae tellt my love for ye; an' bonnie though ye be, an honest lad's heart is no a thing to laugh an' jeer about. Gif I had rank an' siller halth, I wad lay them down for your sake; and puir though I may be noo, I'll win baith gowd an' gude name for ye, Bell!"

"Dinna fash yourself for me, Maister Cameron," said Bell, quite in a pet. "I'm obleeged to ye for yer gude opinion, though I think ye might keep to the truth, an' no be sayin' I socht ye. I'm sure only little kindness I had for ye was just my natural duty in my father's house, forby that Jessie is a friend; but what ye mean by speakin' about clouds an' warld's spite, is clean abune my understanding. An' if for my likin' a real gentlemen to dance wi' me, a' the country lads are to drum gude manners into me, I'll thank ye no to be the first. An' sae gude-day to ye, bonnie sir;" and Bell tossed her head as she skipped away from her disconsolate lover, secretly hoping he would not believe her to be in earnest, but that he would repeat his declaration of love, and then she might be a trifle more gracious.

She little knew John Cameron.

Though afterwards John finds her half dead, lost in the snow, the wilful girl cannot bring him back so easily again. The end of the story must not, however, be revealed. There is only one false amongst these warm Highland hearts. Jessie's is a heroism of the true sort—a bright illustration of the Scotch proverb that "leal heart never lee'd;" and we think we may promise the authoress of this pretty little tale a kindly welcome on either side of the Tweed.

#### THE AQUAVIVARIUM.\*

DR. LANKESTER, who has long amused himself by rearing at home water plants and animals, believes that the popularity of his favourite pursuit has increased, is increasing, and ought not to be diminished. He has accordingly presented the public with the tiny manual which now lies before us. After explaining very clearly the well-known principle on which the large Aquarium in the Regent's-park, and all others, small or great, are constructed—viz., the action and reaction of the plant and the animal on each other, the one giving out oxygen, the other carbonic acid gas—he proceeds to detail the history of the invention which has given a new and harmless, if not a very exciting, pleasure to civilized mankind. The honour of priority in this matter is due to Mr. Ward, whose name is so well known in connexion with ferns. In a fernery, constructed by him at his house in London, there were certain small pools filled with water, into which gold fish were introduced. They lived and prospered, and Mr. Ward, pursuing his experiments, was soon able to announce to the British Association that he had succeeded in keeping plants and animals in sea-water artificially made. In the spring of 1853, the Regent's-park Aquarium was opened, and this gave a great impetus to the Aquarium movement. Dr. Lankester labours to show that Aquavivarium is a better word than the one which is commonly used. Aquarium, he says, has already its special classical meaning, and so has Vivarium; and it is necessary to coin a new word. We think, however, that he has advanced no reasons sufficiently cogent to induce us to prefer Aquavivarium. Four syllables must carry the day against six, and misapplied classicality against pure barbarism.

The Aquarium, whether intended to receive fresh or sea-water, may be of any form; but a tank of sheet-glass is perhaps more convenient than any other sort of vessel. When the tank is procured, the next step is to introduce soil for the plants. Throughout, we shall speak of the Fresh-water Aquarium, for Dr. Lankester's work relates chiefly to it, though he devotes about a dozen pages to the Marine Aquarium—the heritage of Mr. Gosse. Water-plants, of course, are less dependent upon conditions of soil than land-plants—still we must not trust too much to this.

\* The Aquavivarium, Fresh and Marine, being an Account of the Principles and Objects involved in the Domestic Culture of Water Plants and Animals. By E. Lankester, M.D., (with Illustrations). London: Hardwicke.

At the same time, the water-plants which are most dependent on soil are not those best suited for Aquaria. The white water-lily, for example, beautiful as it is in a lake, is rather too large for a drawing-room. We may, then, consult first the beauty of our Aquarium, and, strewing its surface with well-washed river sand and small pebbles, to the depth of two or three inches, look out for plants which will be content with this indifferent anchorage-ground. Of these none will suit our purpose so well as the *Valisneria spiralis*, a plant which inhabits running streams in the South of Europe, and takes its name from Antonio Valisneri, an Italian physician. Its long green leaves quickly absorb carbonic acid gas, and give out oxygen as quickly. It is dioecious—that is, its stamens grow on one plant, and its pistils on another. It is called *spiralis* from the fact of its bearing its pistils on a long spiral flower-stalk, the object of which is curious. The flowers in which the stamens are break off at a certain period, and float on the surface of the water, and the purpose of the long pistil-bearing flower-stalk is to lift up the pistils so as to enable them to come in contact with the fertilizing pollen. Another useful inhabitant of the Aquarium is the *Anacharis Alsinistrum*, the Canadian water-weed, whose recent progress in the rivers of the fen countries has caused so much alarm. It looks very well, and has but one fault—that of being, here as elsewhere, rather too encroaching. Dr. Lankester suggests, in addition to many common plants, the *Aponogetum distachyum* from the Cape of Good Hope. It has sweet-scented flowers, which are produced all the year round, and it can stand in the open air even a Scotch winter. The genus *Nitella* is interesting from the facility with which its circulation is observed through the microscope. If it be thought desirable to have examples of each of the three great classes of plants, one of the *Nitellæ* might represent the Acrogens—the *Valisneria*, the Monocotyledons—and the *Villarsia*, a rare plant of the Gentian family, which perpetuates the name of a French botanist, Madame Villars, and grows in and near the Thames, might, by its superior beauty, testify to the more exalted rank of the Dicotyledons.

When the plants in the Aquarium have begun to grow vigorously, it is time to think of stocking it. Of vertebrate animals, those which are most suitable are to be found in the two lowest classes. Amongst Batrachians, the newt, which is so common in our ponds, will do very well; and so will, amongst fishes, the common stickleback, some of whose proceedings are thus described:—

He has all the ways of other fishes, and many more besides. Look into your tank; see, there is one larger than the rest: he is clothed in a coat of mail like a knight of old, and it is resplendent with purple and gold. See how his eyes glisten, and with every movement present a new colour. He a male fish, the king of your little shoal. He has important offices to perform. Presently, in the course of a few days, if you watch him, and are fortunate, you will see this wonderful little fish engaged in the most useful manner in building a nest. He first seizes hold of one little bit of weed, then of another, and carries them all to some safe corner, till at last his nest is built. Here his mate deposits her eggs, and having done this, resigns the care of them to our hero of the purple and gold, who watches over them with an anxiety that no other male in creation but the male stickleback seems to know. He fans and freshens the water with his fins, and at last, when the young are hatched, watches over their attempts at swimming with the greatest anxiety.

The whole of the roach family, including the gold-fish (*Cyprinus Auratus*), which first came to this country from China, is well adapted for the Aquarium. Dr. Lankester says that he has never succeeded in keeping the common cray-fish alive; but he gives from Professor Bell's work on the Stalk-eyed Crustaceans the following account of one which belonged to Dr. Ball, of Dublin:—

I once, says Dr. Ball, had a domesticated crayfish, which I kept in a glass pan, in water not more than an inch and a half deep; previous experiments having shown that in deeper water, probably for want of sufficient aeration, the animal would not live long. By degrees my prisoner became very bold, and when I held my fingers at the edge of the vessel, he assailed them with promptness and energy. About a year after I had him, I perceived, as I thought, a second crayfish with him; on examination, I found it to be his old cot, which he had left in a most perfect state. My friend had now lost his heroism, and fluttered about in the greatest agitation. He was quite soft, and every time I entered the room during the next two days he exhibited the wildest terror. On the third day he appeared to gain confidence, and ventured to use his nippers, though with some timidity, and he was not yet quite so hard as he had been. In about a week, however, he became bolder than ever; his weapons were sharper, and he appeared stronger, and a nip from him was no joke. He lived in all about two years.

On the whole, Dr. Lankester's book is excellent, and conveys very pleasantly a great deal of knowledge about the classification and the peculiarities of both the animals and plants described in it. No one who uses it as a guide will be content to rest satisfied with the information it contains, but will be led on to consult those larger standard works to which its pages continually refer. We should have ourselves preferred another classification of invertebrate animals, but this is a small matter. The illustrations are very tasteful, and as correct as their size permits.

#### NOTICE.

The publication of the "SATURDAY REVIEW" takes place on Saturday mornings, in time for the early trains, and copies may be obtained in the Country, through any News-Agent, on the day of publication.

## ADVERTISEMENTS.

**THIRTY-NINTH REPORT of the LONDON JOINT STOCK BANK.**—At a GENERAL MEETING of the SHAREHOLDERS, held at the Banking-house of the Company, in Princes-street, Mansion House, on THURSDAY, the 16th of January, 1857,

PHILIP WILLIAM FLOWER, Esq., *Chairman*.  
THOMAS TILSON, Esq., *Deputy-Chairman*.

## DIRECTORS.

William Bird, Esq.	Archibald Hastie, Esq., M.P.
William Bleunt, Esq.	William J. Lancaster, Esq.
Alderman Sir George Carroll.	Sir John M. Taggart, Bart., M.P.
William Miller Christy, Esq.	George Meek, Esq.
Alderman Sir James Duke, Bart., M.P.	Ambrose Moore, Esq.
Philip William Flower, Esq.	John Timothy Oxley, Esq.
George Holgate Foster, Esq.	John Joseph Silva, Esq.
Francis Bennett Goldney, Esq.	George Tayler, Esq.
William Ormsby Gore, Esq., M.P.	Thomas Tilson, Esq.
Henry Grace, Esq.	

*The Manager*—GEORGE POLLARD, Esq.  
*Solicitors*—Messrs. CLARKE and MORICE.

The following Report was presented:—  
With much satisfaction the Directors again met the Proprietors of the Bank, to place before them the state of their affairs, and the Profit and Loss Account for the Half-year ending the 31st December, 1856.

The Proprietors will perceive that, including the sum of £25,086 18s. 6d. brought forward on the 30th of June last, there is a net balance of £84,217 4s. 9d., which the Directors have appropriated as follows, viz.:

£	s.	d.	
37,500	0	0	to the payment of a Dividend of £6 5s. per cent., for the half-year (being at the rate of 12½ per cent. per annum) upon £600,000, the paid-up Capital.
46,500	0	0	to the payment of an additional Bonus of 15s. 6d. per Share, and to the credit of the Guarantee Fund.
217	4	9	
84,217	4	9	

With this addition, the Guarantee Fund amounts to £165,932 13s. 10d.

The following gentlemen retire from the direction by rotation, viz.:

William Miller Christy, Esq.	Henry Grace, Esq., and
Francis Bennett Goldney, Esq.	Thomas Tilson, Esq.
William Ormsby Gore, Esq., M.P.	

all of whom offer themselves for re-election.

The Dividend and Bonus, free from income tax, will be payable on and after Friday, the 23rd inst.

The preceding Report having been read to the Meeting by the Secretary, a Dividend for the half-year ending the 31st of December last, after the rate of £12 10s. per cent. per annum, and a further division of 15s. 6d. per Share out of the net profits of the year ending as above, were declared by the Chairman.

Resolved unanimously.—That the Report now read be received, and that it be printed for the use of the Shareholders.

The following Directors having retired by rotation, were unanimously re-elected, viz.:

William Miller Christy, Esq.	Henry Grace, Esq., and
Francis Bennett Goldney, Esq.	Thomas Tilson, Esq.
William Ormsby Gore, Esq., M.P.	

Resolved unanimously.—That the thanks of the Meeting, with the expression of its confidence, be given to the Directors for their very able and excellent management.  
Resolved unanimously.—That its thanks be also most cordially tendered to George Pollard, Esq., the Manager.

(Signed)

P. W. FLOWER, *Chairman*.

JNO. WARDROPE, *Secretary*.

## LIABILITIES AND ASSETS, WEDNESDAY, DEC. 31, 1856.

THE LONDON JOINT STOCK BANK.			
<i>Dr.</i>			
To capital paid-up, viz., 60,000 shares at £10 each	£600,000	0	0
To amount due by the Bank	7,224,527	13	5
To amount of "The Guarantee Fund," June 30, 1856	£163,266	9	2
To 6 months' interest on ditto, at £3 per cent. per annum	2,448	19	11
	£8,128,754	6	11
<i>To undivided profit for the last half-year</i>			
To amount carried to profit and loss account	25,086	18	6
	£8,128,754	6	11
<i>Cd.</i>			
By Exchange-bills and India Bonds	£1,018,611	5	0
By cash, loans, bills discounted, and other securities	7,065,068	1	11
By building, furniture, &c., in Princes-street	£36,950	0	0
By ditto ditto ditto in Pall-mall	8,125	0	0
	£8,128,754	6	11

## PROFIT AND LOSS ACCOUNT OF THE LONDON JOINT STOCK BANK, FOR THE HALF-YEAR ENDING DEC. 31, 1856.

<i>Dr.</i>			
To current expenses, proportion of building expenses, Directors' remuneration, bad debts, income-tax, &c.	£26,473	16	6
To amount carried to profit and loss, new account, being rebate of interest on bills discounted not yet due	27,820	3	2
To amount transferred to the credit of "The Guarantee Fund"	217	4	9
To dividend account for the payment of half-a-year's dividend, at the rate of 12½ per cent. per annum, upon £600,000, amount of paid-up capital upon 60,000 shares.	37,500	0	0
To ditto for the payment of a bonus of 15s. 6d. per share	46,500	0	0
	£138,511	4	5
<i>Cd.</i>			
By balance brought down	£113,424	5	11
By undivided profit brought forward from the last half-year	25,086	18	6
	£138,511	4	5

## THE LONDON JOINT STOCK BANK.

Established in 1836.

Head Office—Princes-street, Mansion House.

Western Branch—69, Pall-mall.

Subscribed Capital, £3,000,000. Paid-up Capital, £600,000.

Guarantee Fund, £168,000.

Accounts of parties are kept agreeably to the custom of London Bankers. Parties keeping banking accounts with the Bank can at all times transfer to a deposit account such portion of their balance as they may not immediately require, upon which interest at the current rate of the day will be allowed.

Deposits are also received from parties not customers, either at call or for fixed periods, on interest at the market rates.

The agency of joint stock and other country and foreign banks, undertaken on such terms as may be agreed upon.

Investments in, and sales of, all descriptions of British and foreign securities, bullion, specie, &c., effected.

Dividends on English and foreign funds, on railway and other shares, debentures, and coupons, received without charge to customers. Every other description of banking business and money agency transacted, and letters of credit granted on the Continent, and on the chief commercial towns of the world.

## EQUITABLE ASSURANCE SOCIETY.

OFFICE—NEW BRIDGE STREET, BLACKFRIARS. ESTABLISHED IN 1762.

INVESTED CAPITAL, on the 31st DECEMBER, 1856, UPWARDS OF SEVEN MILLIONS STERLING.

INCOME OF THE SOCIETY, UPWARDS OF FOUR HUNDRED THOUSAND POUNDS PER ANNUM.

The Equitable is a Mutual Society, and the whole of the profits are appropriated to the benefit of the Assured.

Assurances may be effected for any sum not exceeding £10,000 on one and the same Life.

A Weekly Court of Directors is held every Wednesday, from 11 to 1 o'clock, to receive Proposals for New Assurances.

ARTHUR MORGAN, *Actuary*.

## GEOLOGY.—King's College, London.—Professor TENNANT, F.G.S., will give a COURSE OF LECTURES ON GEOLOGY. To commence on FRIDAY MORNING, January 23rd, at Nine o'clock, and to be continued on each succeeding Wednesday and Friday, at the same hour.

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